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TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. Rye Bulletin 1, Amdt. 2]

PART 266—RYE LOANS AND PURCHASE AGREEMENTS

1948 RYE PRICE SUPPORT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 13 F. R. 4989, 5525, governing the making of loans and containing the requirements of the purchase agreement program on rye produced in 1948, is further amended as follows:

In § 266.224 *Rates at which loans and purchases will be made*, under paragraph (a) subparagraph (1), the following terminal market and rate are added.

Terminal Market	Rate per bushel
Milwaukee, Wisconsin	\$1.51

In § 266.224 *Rates at which loans and purchases will be made*, under paragraph (d) *County rates*, the following counties and rates are added:

CALIFORNIA		Rate
County		
Los Angeles		\$1.42
IOWA		
Franklin		1.27
MISSOURI		
Pike		1.34
MONTANA		
Glacier		1.16
Hill		1.16
Rosebud		1.10
Toole		1.16
NEVADA		
Elko		1.13
Humboldt		1.13
WASHINGTON		
Benton		1.34
WYOMING		
Platte		1.17

Issued this 23d day of November 1948.

[SEAL] **ELMER F. KRUSE,**
Manager,
Commodity Credit Corporation.

Approved: November 23, 1948.

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 43-10359; Filed, Nov. 29, 1948; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 1946 ed., 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

(a) The following provisions of the order do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the month of December 1948:

(1) All of the first proviso appearing in § 927.5 (a) (11) except "plus eight cents";

(2) All of the proviso appearing in § 927.5 (a) (12),

(3) All of the second proviso appearing in § 927.5 (a) (13).

(b) In accordance with the Administrative Procedure Act (Public Law 404, 79th Cong., 60 Stat. 237) notice of proposed rule making, public procedure thereon, and 30 days' prior notice of the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that it is necessary to issue immediately and make effective not later than December 1, 1948, this suspension order to reflect current marketing conditions, and to facilitate, promote, and maintain the orderly marketing of milk produced for the New York metropolitan milk marketing area. The changes caused by this suspension do not require of persons affected substantial or extensive preparation prior to the effective date. The time intervening between the date of issuance of this suspension and its effective date affords persons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the following provisions of the order be and they hereby are suspended with respect to all milk subject to the provisions of

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the order during the month of December 1948:

(1) All of the first proviso appearing in § 927.5 (a) (11) except "plus eight cents";

(2) All of the proviso appearing in § 927.5 (a) (12),

(3) All of the second proviso appearing in § 927.5 (a) (13).

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 26th day of November 1948.

[SEAL]

CHARLES F. BRAINMAN,
Secretary of Agriculture.

[F. R. Doc. 48-10468; Filed, Nov. 29, 1948; 11:16 a. m.]

PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

ORDER, AMENDING THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE TOLEDO, OHIO, MARKETING AREA

§ 930.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure covering the formulation of marketing agreements and orders (7 CFR, Supp., 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area; and a decision was made with respect to amendments by the Secretary on November 17, 1948. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure

and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) *Additional findings.* It is necessary to make effective promptly the present amendments to the said order, as amended, to reflect current marketing conditions, and to insure the production of an adequate supply of milk. Any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously threaten the supply of milk for the Toledo, Ohio, marketing area and will disrupt orderly marketing. The changes effected by this order, amending the order, as amended, do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order for 30 days after its publication (sec. 4c, Administrative Procedure Act, Pub. Law 404, 79th Cong. 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding co-operative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Toledo, Ohio, marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area; and it is hereby determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, further amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the said order, as amended, is approved or favored by at least two-thirds of the producers, who during September 1948 (said month having been determined to be a representative period) were engaged in the production of milk for sale in the said marketing area.

The foregoing determinations are supplementary and in addition to the determinations made in connection with the issuance of the aforesaid order and the determinations made in connection

with the issuance of each of the previously issued amendments thereto; and all of said previous determinations are hereby ratified and affirmed except insofar as such determinations may be in conflict with the determinations set forth herein.

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Toledo, Ohio, marketing area, shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete from § 930.5 (a) (1) the proviso contained therein and substitute therefor the following: "*Provided*, That such Class I milk price shall be not less than \$4.70 from the effective date of this amendment through January 31, 1949; and not less than \$4.48 for the delivery period of February 1949."

2. Add to § 930.5 (a) (2) the following proviso: "*Provided*, That such Class II milk price shall be not less than \$4.10 from the effective date of this amendment through January 31, 1949; and not less than \$3.88 for the delivery period of February 1949."

Issued at Washington, D. C., this 26th day of November 1948, to be effective on and after the 1st day of December 1948.

(48 Stat. 31, 670, 675; 49 Stat. 730; 50 Stat. 246; 7 U. S. C. 601 et seq., § 102, Reorg. Plan I of 1947, 12 F. R. 4534)

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10471; Filed, Nov. 29, 1948;
11:15 a. m.]

PART 946—MILK IN THE LOUISVILLE, KENTUCKY, MARKETING AREA

ORDER AMENDING THE ORDER, AS AMENDED,
REGULATING THE HANDLING OF MILK IN
THE LOUISVILLE, KENTUCKY, MARKETING
AREA

§ 946.0 *Findings and determinations.* The findings and determinations herein-after set forth are supplementary to and in addition to the previous findings and determinations made in connection with the issuance of this order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure, as amended, governing the formulation of marketing agreements and orders (7 CFR, Supps., 900.1 et seq.) a public hearing was held on November 5, 1948, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the

Louisville, Kentucky, marketing area. The decision was made by the Secretary on November 19, 1948. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect the market supply of and demand for such milk, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make the amendment hereafter set forth effective by not later than December 1, 1948, so as to reflect current marketing conditions. Any delay beyond December 1, 1948, in the effective date of this amendment to the order, as amended, will seriously threaten the supply of milk for the Louisville, Kentucky, marketing area. The changes effected by this order amending the order, as amended, do not require substantial or extensive preparation by persons affected prior to the effective date. Accordingly it is concluded that good cause exists for making this amendment effective within less than 30 days after the date of publication. (Sec. 4 (c) Administrative Procedures Act, Pub. Law 404, 79th Cong., 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended and as hereby further amended, which is marketed within the Louisville, Kentucky, marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (September 1948), were engaged in the production of milk for sale in the said marketing area.

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Louisville, Kentucky, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete the period (.) at the end of § 946.4 (b) (1) and add the following: "*Provided*, That for the delivery periods from the effective date of this order through January 1949 the price for Class I milk shall not be less than \$5.16; and that for the delivery period of February 1949 the price for Class I milk shall not be less than \$4.94."

2. Delete the period (.) at the end of § 946.4 (b) (2) and add the following: "*Provided*, That for the delivery periods from the effective date of this order through January 1949 the price for Class II milk shall not be less than \$4.61, and that for the delivery period of February 1949 the price for Class II milk shall not be less than \$4.39."

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C., 601 et seq., sec. 102 Reorg. Plan I of 1947, 12 F. R. 4534)

Issued in Washington, D. C., this 26th day of November 1948 to be effective on and after the 1st day of December 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10469; Filed, Nov. 29, 1948;
11:16 a. m.]

PART 965—MILK IN THE CINCINNATI, OHIO, MARKETING AREA

ORDER, AMENDING THE ORDER, AS AMENDED,
REGULATING THE HANDLING OF MILK IN
THE CINCINNATI, OHIO, MARKETING AREA

§ 965.1 *Findings and determinations—*
(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and orders (7 CFR, Supps., 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area; and a decision was made with respect to amendments by the Secretary on November 17, 1948. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) *Additional findings.* It is necessary to make effective promptly the present amendments to the said order, as amended, to reflect current marketing conditions and to insure the production of an adequate supply of milk. Any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously threaten the supply of milk for the Cincinnati, Ohio, marketing area and will disrupt orderly marketing. The changes effected by this order, amending the order, as amended, do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order for 30 days after its publication. (Sec. 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong. 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Cincinnati, Ohio, marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agree-

ment tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, further amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the said order, as amended, is approved or favored by at least two-thirds of the producers who, during September 1948 (said month having been determined to be a representative period) were engaged in the production of milk for sale in the said marketing area.

The foregoing determinations are supplementary and in addition to the determinations made in connection with the issuance of the aforesaid order and the determinations made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous determinations are hereby ratified and affirmed except insofar as such determinations may be in conflict with the determinations set forth herein.

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Cincinnati, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended, as follows:

1. Delete from § 965.6 (a) (1) the proviso contained therein and substitute therefor the following: "Provided, That such price for Class I milk shall be not less than \$5.40 from the effective date of this amendment through January 31, 1949; and not less than \$5.18 for the delivery period of February 1949."

2. Delete from § 965.6 (a) (2) the proviso contained therein and substitute therefor the following: "Provided, That such price for Class II milk shall be not less than \$4.95 from the effective date of this amendment through January 31, 1949; and not less than \$4.73 for the delivery period of February 1949."

Issued at Washington, D. C. this 26th day of November, 1948, to be effective on and after the 1st day of December 1948.

(48 Stat. 31, 670, 675; 49 Stat. 730; 50 Stat. 246; 7 U. S. C. 601 et seq., sec. 102, Reorg. Plan I of 1947; 12 F. R. 4534)

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10472; Filed, Nov. 23, 1948; 11:15 a. m.]

PART 972—MILK IN THE TRI-STATE MARKETING AREA

ORDER, AMENDING THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE TRI-STATE MARKETING AREA

§ 972.0 *Findings and determinations—*
(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended, and as reenacted and amended

by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") and the rules of practice and procedure covering the formulation of marketing agreements and orders (7 CFR, Supps., § 900.1 et seq., 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Tri-State marketing area; and a decision was made with respect to amendments by the Secretary on November 17, 1948. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) *Additional findings.* It is necessary to make effective promptly the present amendments to the said order, as amended, to reflect current marketing conditions, and to insure the production of an adequate supply of milk. Any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously threaten the supply of milk for the Tri-State marketing area and will disrupt orderly marketing. The changes effected by this order, amending the order, as amended, do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order for 30 days after its publication. (Sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding coop-

erative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended and as hereby further amended, which is marketed within the Tri-State marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, further amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the said order, as amended, is approved or favored by at least two-thirds of the producers who, during September 1948 (said month having been determined to be a representative period) were engaged in the production of milk for sale in the said marketing area.

The foregoing determinations are supplementary and in addition to the determinations made in connection with the issuance of the aforesaid order and the determinations made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous determinations are hereby ratified and affirmed except insofar as such determinations may be in conflict with the determinations set forth herein.

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Tri-State marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete from § 972.5 (b) the proviso contained therein and substitute therefor the following: "Provided, That such price for Class I milk shall not be less than \$5.00 at Huntington district plants and \$4.80 at other plants from the effective date of this amendment through January 31, 1949; and not less than \$4.78 at Huntington district plants and \$4.58 at other plants for the delivery period of February 1949."

2. Delete from § 972.5 (c) the proviso contained therein and substitute therefor the following: "Provided, That such price for Class II milk shall not be less than \$4.70 at Huntington district plants and \$4.50 at other plants from the effective date of this amendment through January 31, 1949; and not less than \$4.48 at Huntington district plants and \$4.28 at other plants for the delivery period of February 1949."

Issued at Washington, D. C., this 26th day of November 1948, to be effective on and after the 1st day of December 1948.

(48 Stat. 31, 670, 675; 49 Stat. 730; 50 Stat. 246; 7 U. S. C. 601 et seq., sec. 102, Reorg. Plan 1 of 1947; 12 F. R. 4534)

[SEAL]

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10470; Filed, Nov. 29, 1948; 11:15 a. m.]

Chapter XXI—Organization, Functions and Procedures

PART 2405—BUREAU OF DAIRY INDUSTRY

DISCONTINUANCE OF CODIFICATION

The codification of Part 2405 is hereby discontinued. Future amendments to description or organization and functions will appear in the Notices section of the *FEDERAL REGISTER*.

Dated: November 12, 1948.

O. E. REED,
Chief,

Bureau of Dairy Industry.

[F. R. Doc. 48-10358; Filed, Nov. 29, 1948; 8:49 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 210—CHECK, CLEARING AND COLLECTION

MISCELLANEOUS AMENDMENTS

On April 16, 1948, the Board of Governors of the Federal Reserve System, acting in accordance with section 4 of the Administrative Procedure Act and section 2 of the Rules of Procedure of the Board of Governors of the Federal Reserve System (12 CFR 1946 Supp. 262.2) published in the *FEDERAL REGISTER* (13 F. R. 2050) notice of proposed amendments to Part 210, relating to the clearing and collection of checks by Federal Reserve Banks. After due and careful consideration of all relevant matter presented, the Board hereby adopts the following amendments to Part 210 to become effective January 1, 1949:

1. Paragraph (b) of § 210.5 is amended by adding at the end of such paragraph the following sentence: "A Federal Reserve Bank, or any agent to which such checks are forwarded by a Federal Reserve Bank, may present such checks pursuant to any special collecting agreement not inconsistent with the terms of this regulation or may present them through a clearing house subject to the rules and practices thereof."

2. Section 210.5 is amended by inserting therein a new paragraph (d) reading as set forth below and by changing the designations of present paragraphs (d) to (h), inclusive, so that such paragraphs will be designated (e) to (i) inclusive:

§ 210.5 *Terms of collection.* * * *

(d) Any check which a Federal Reserve Bank or an agent thereof presents to the drawee bank for payment or sends to the drawee bank for collection,

and for which remittance or settlement is made by the drawee bank on the day on which it receives³ such check, may be returned for credit or refund at any time prior to midnight of the drawee's next business day following such day of receipt or prior to the time provided by applicable clearing house rule or special collection agreement, whichever is earlier, except that this paragraph shall not apply to checks presented over the counter.

3. Section 210.6 is amended to read as follows:

§ 210.6 *Other rules and regulations.* Each Federal Reserve Bank may also promulgate rules not inconsistent with the terms of the law or of the regulations of this part, governing the details of its operations in clearing and collecting checks and other cash items. Such rules shall be set forth by the Federal Reserve Bank in its letters of instruction to its member and non-member clearing banks and shall be binding upon any member or nonmember clearing bank which sends any check or other cash item to such Federal Reserve Bank for collection or to any other Federal Reserve Bank for the account of such Federal Reserve Bank for collection.

(Secs. 11 (i) 16, 38 Stat. 262, 265, sec. 4, 40 Stat. 234; 12 U. S. C. 248 (1), (c) 342, 360)

Issued this 24th day of November 1948.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,

[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 48-10357; Filed, Nov. 29, 1948; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration

[Amdt. 11]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

It appearing that (1) the increased volume of air traffic between certain points necessitates, in the interest of safety in air commerce, the immediate realignment and establishment of civil airways between such points; (2) the realignment and establishment of the civil airways referred to in (1) above, have been coordinated with the civil operators involved, the Army, and the Navy, through the Air Coordinating Committee, Airspace Subcommittee; and (3) compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable, unnecessary, and contrary to the public interest, and therefore is not required;

³ A check received by a drawee bank on a day other than its business day, or received on a business day after its regular business hours or during afternoon or evening periods when it has reopened (or remained open) for limited functions, shall be deemed to have been received on its next succeeding business day.

Now therefore, acting under authority contained in sections 205, 301, 302, 307, and 308 of the Civil Aeronautics Act of 1938, as amended, and pursuant to section 3 of the Administrative Procedure Act, I hereby amend the Code of Federal Regulations, Title 14, Chapter II, Part 600, as follows:

Designation and Redesignation of Civil Airways: Amber Civil Airway No. 9; Red Civil Airways Nos. 20, 21, 75 and 77, Blue Civil Airways Nos. 20, 32 and 56

1. Section 600.4 (b) (9) is amended to read:

(9) *Amber civil airway No. 9 (Charleston, S. C., to New York, N. Y.)* From the intersection of the northeast course of the Charleston, S. C., radio range and the southwest course of the Myrtle Beach, S. C., VHF radio range via the Myrtle Beach, S. C., VHF radio range station; Wilmington, N. C., VHF radio range station; New Bern, N. C., VHF radio range station; Williamston, N. C., VHF radio range station (excluding the area between 9,500 feet and 13,500 feet mean sea level during the hours of darkness between the Wilmington, N. C. VHF radio range station and the Williamston, N. C., VHF radio range station) the intersection of the northeast course of the Williamston, N. C., VHF radio range and the southwest course of the Norfolk, Va., radio range; Norfolk, Va., radio range station. From the Norfolk, Va., VHF radio range station via the intersection of the north course of the Norfolk, Va., VHF radio range and the southwest course of the Salisbury, Md., VHF radio range; Salisbury, Md., VHF radio range station; the intersection of the northeast course of the Salisbury, Md., VHF radio range and the southwest course of the Atlantic City, N. J., VHF radio range; Atlantic City, N. J., VHF radio range station; the intersection of the northeast course of the Atlantic City, N. J., VHF radio range and the south course of the Matawan, N. J., VHF radio range; Matawan, N. J., VHF radio range station (excluding that portion more than 2 miles either side of the northeast course of the Atlantic City, N. J., VHF radio range and the south course of the Matawan, N. J., VHF radio range) to the intersection of the north course of the Matawan, N. J., VHF radio range and the east course of the Allentown, Pa., radio range.

2. Section 600.4 (c) (20) is amended to read:

(20) *Red civil airway No. 20 (Lansing, Mich., to Washington, D. C.)* From the Lansing, Mich., radio range station via the intersection of the northwest course of the Romulus, Mich., radio range and the northwest course of the Selfridge Field, Mich., radio range and the intersection of the northwest course of the Windsor, Ontario, Canada, radio range and the northwest course of the Selfridge Field, Mich., radio range to the intersection of the northwest course of the Windsor, Ontario, Canada, radio range and the United States-Canadian Border. From the intersection of the northwest course of the Cleveland, Ohio,

radio range and the United States-Canadian Border via the Cleveland, Ohio, radio range station and the Akron, Ohio, radio range station to the intersection of the southeast course of the Cleveland, Ohio, radio range and the west course of the Pittsburgh, Pa., radio range. From the Pittsburgh, Pa., radio range station via the intersection of the southeast course of the Pittsburgh, Pa., radio range and the northwest course of the Washington, D. C., radio range; the Washington, D. C., radio range station to the intersection of the southeast course of the Washington, D. C., radio range with Red Civil Airway No. 77, excluding that portion which lies more than 3 miles north of the southeast course of the Washington, D. C., radio range between the intersection of the southeast course of the Washington, D. C., radio range and the south course of the Baltimore, Md., radio range and Red civil airway No. 77."

3. Section 600.4 (c) (21) is amended to read:

(21) *Red civil airway No. 21 (Lansing, Mich., to Boston, Mass.)* From the Lansing, Mich., radio range station to the intersection of the southeast course of the Lansing, Mich., radio range and the west course of the Romulus, Mich., radio range. From the Romulus, Mich., radio range station to the intersection of the southeast course of the Romulus, Mich., radio range and the west course of the Cleveland, Ohio, radio range. From the intersection of the west course of the Cleveland, Ohio, radio range and the northwest course of the Akron, Ohio, radio range via the Akron, Ohio, radio range station; Pittsburgh, Pa., radio range station; the intersection of the northeast course of the Pittsburgh, Pa., radio range and the north course of the Altoona, Pa., radio range to the Sunbury, Pa., radio marker station. From the intersection of the northeast course of the Allentown, Pa., radio range and the west course of the Newark, N. J., radio range to the Newark, N. J., radio range station. From the intersection of the east course of the New York, N. Y. (LaGuardia) radio range and the southwest course of the Bridgeport, Conn., radio range via the Bridgeport, Conn., radio range station to the intersection of the northeast course of the Bridgeport, Conn., radio range and the southeast course of the Hartford, Conn., radio range. From the intersection of the southeast course of the Hartford, Conn., radio range and the west course of the Quonset Point, R. I. (Navy), radio range via the intersection of the west course of the Quonset Point, R. I. (Navy) radio range and the southwest course of the Providence, R. I., radio range; Providence, R. I., radio range station, excluding that portion more than 2 miles east of the southwest course of the Providence, R. I., radio range; Squantum, Mass. (Navy), radio range station, excluding that portion which lies more than 4 miles east of the southwest course of the Squantum, Mass. (Navy), radio range between the Providence, R. I., radio range station and a point 5 miles northeast to the intersection of the northeast course of the Squantum, Mass. (Navy) radio range and the east course of the Boston, Mass., radio range.

4. Section 600.4 (c) (75) is added to read:

(75) *Red civil airway No. 75 (U. S.-Canadian Border, Vancouver, B. C., to U. S.-Canadian Border, Abbotsford, B. C.)*. From the Vancouver, B. C., radio range station to the intersection of the northwest course of the Bellingham, Wash., radio range and the west course of the Abbotsford, B. C., radio range; Abbotsford, B. C., radio range station to the intersection of the east course of the Abbotsford, B. C., radio range and the northeast course of the Bellingham, Wash., radio range, excluding those portions lying outside the limits of the continental United States.

5. Section 600.4 (c) (77) is added to read:

(77) *Red civil airway No. 77 (Richmond, Va., to Millville, N. J.)*. From the intersection of the north course of the Richmond, Va., radio range and the southwest course of the Patuxent River, Md. (Navy) radio range via the Patuxent River, Md. (Navy) radio range station to the Millville, N. J., radio range station, excluding that portion below 6,000 feet between the eastern boundary of Blue civil airway No. 56 and the southwest boundary of Red civil airway No. 20.

6. Section 600.4 (d) (20) is amended to read:

(20) *Blue civil airway No. 20 (Atlantic City, N. J., to Allentown, Pa.)*. From the Atlantic City, N. J. (Navy) radio range station via the intersection of the west course of the Atlantic City, N. J. (Navy) radio range and the southeast course of the Millville, N. J., radio range; Millville, N. J., radio range station; the intersection of the northwest course of the Millville, N. J., radio range and the southwest course of the Philadelphia, Pa., radio range; Philadelphia, Pa., radio range station to the Allentown, Pa., radio range station.

7. Section 600.4 (d) (32) is amended to read:

(32) *Blue civil airway No. 32 (Pendleton, Oreg., to Fairbanks, Alaska)*. From the Pendleton, Oreg., radio range station via the intersection of the northwest course of the Pendleton, Oreg., radio range and the southeast course of the Yakima, Wash., radio range to the Yakima, Wash., radio range station. From the Seattle, Wash., radio range station via the intersection of the northwest course of the Seattle, Wash., radio range and the south course of the Patricia Bay, B. C., radio range to the intersection of the south course of the Patricia Bay, B. C., radio range and the U. S.-Canadian Border. From the Skwentna, Alaska, radio range station via the intersection of the northeast course of the Skwentna, Alaska, radio range and the southwest course of the Summit, Alaska, radio range to the Summit, Alaska, radio range station.

8. Section 600.4 (d) (56) is amended to read:

(56) *Blue civil airway No. 56 (Elizabeth City, N. C., to Washington, D. C.)*. From the Weicksville, N. C. (Coast Guard), radio range station via the inter-

section of the northwest course of the Weeksville, N. C. (Coast Guard) radio range and the southwest course of the Norfolk, Va., VHF radio range to the Norfolk, Va., VHF radio range station. From the intersection of the northwest course of the Norfolk, Va., radio range and the south course of the Langley Field, Va. (AFB) radio range via the Langley Field, Va. (AFB) radio range station; the intersection of the north course of the Langley Field, Va. (AFB) radio range and the southeast course of the Brandywine, Md., radio range to the Brandywine, Md., radio range station, excluding that portion more than 3 miles east of the south and north courses of the Langley Field, Va. (AFB) radio range and the southeast course of the Brandywine, Md., radio range, and excluding that portion more than 3 miles west of the southeast course of the Brandywine, Md., radio range and the north course of the Langley Field, Va. (AFB) radio range between the Brandywine, Md., radio range station and a point 18 miles south of the intersection of the north course of the Langley Field, Va. (AFB) radio range and the southeast course of the Brandywine, Md., radio range.

9. Section 600.4 (e) *Other civil airways*—(2) *Norfolk, Va., to Washington, D. C.*, civil airway is revoked.

This amendment shall become effective 0001 e. s. t., December 1, 1948.

(Sec. 205, 301, 302, 307, and 308, 52 Stat. 984, 985, 986; 54 Stat. 1233, 1235; Public Law 872, 80th Cong., 49 U. S. C., 425, 451, 452, 457, 458)

[SEAL]

F. B. LEE,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 48-10352; Filed, Nov. 29, 1948;
8:47 a. m.]

[Amdt. 15]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

It appearing that (1) the increased volume of air traffic between certain points necessitates, in the interest of safety in air commerce, the immediate redesignation and establishment of control areas, including control zones at, and reporting points between, such locations; (2) the redesignation and establishment of the control areas referred to in (1) above, have been coordinated with the civil operators involved, the Army and the Navy, through the Air Coordinating Committee, Airspace Subcommittee; and (3) compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable, unnecessary, and contrary to the public interest, and therefore is not required;

Now therefore, acting under authority contained in Sections 205, 301, 302, 307, and 308 of the Civil Aeronautics Act of 1938, as amended, and pursuant to

section 3 of the Administrative Procedure Act, I hereby amend the Code of Federal Regulations, Title 14, Chapter II, Part 601, as follows:

Designation and Redesignation of Control Areas: Amber Civil Airway No. 9; Red Civil Airways Nos. 20, 53, 75 and 77 Blue Civil Airways Nos. 20, 32, and 56. Designation and Redesignation of Control Zones. Designation and Redesignation of Reporting Points: Green Civil Airway No. 4; Amber Civil Airway No. 9; Red Civil Airways Nos. 14, 20, 75 and 77 Blue Civil Airways Nos. 19, 20, 32 and 56

1. Section 601.4 (b) (9) is amended by changing caption to read:

(9) *Amber civil airway No. 9 control areas (Charleston, S. C., to New York, N. Y.) * * **

2. Section 601.4 (c) (20) is amended by changing caption to read:

(20) *Red civil airway No. 20 control areas (Lansing, Mich., to Washington, D. C.) * * **

3. Section 601.4 (c) (53) is amended to read:

(53) *Red civil airway No. 53 control areas (Joplin, Mo., to Springfield, Mo.) All of Red civil airway No. 53.*

4. Section 601.4 (c) (75) is added to read:

(75) *Red civil airway No. 75 control areas (U. S.-Canadian Border Vancouver B. C., to U. S.-Canadian Border Abbotsford, B. C.) All of Red civil airway No. 75.*

5. Section 601.4 (c) (77) is added to read:

(77) *Red civil airway No. 77 control areas (Richmond, Va., to Millville, N. J.) All of Red civil airway No. 77.*

6. Section 601.4 (d) (20) is amended by changing caption to read:

(20) *Blue civil airway No. 20 control areas (Atlantic City, N. J., to Allentown, Pa.) * * **

7. Section 601.4 (d) (32) is amended to read:

(32) *Blue civil airway No. 32 control areas (Pendleton, Oreg., to Fairbanks, Alaska) From the Pendleton, Oreg., radio range station to the United States-Canadian Border and from the Skwentna, Alaska, radio range station to a line extended at right angles across such airway through a point 25 miles northeast of the radio range station.*

8. Section 601.4 (d) (56) is amended by changing caption to read:

(56) *Blue civil airway No. 56 control areas (Elizabeth City, N. C., to Washington, D. C.) * * **

9. Section 601.4 (e) (65) *Control area extension (Pendleton, Oreg.)* is revoked.

10. Section 601.4 (e) (65) is added to read:

(65) *Control area extension (Yakima, Wash.) From the Yakima, Wash., radio range station extending 5 miles either side of the northwest course of the*

Yakima radio range to a point 20 miles northwest of the radio range station.

11. Section 601.4 (e) (136) is added to read:

(136) *Control area extension (San Juan, P. R.) Within a 150 nautical mile radius from the Isla Grande Aerodrome, San Juan, P. R., excluding the mainland of the Dominican Republic and overlapping portions of existing danger areas and airspace warning areas.*

12. Section 601.4 (e) (137) is added to read:

(137) *Control area extension (Albany, Ga.) From the Albany, Ga., radio range station extending 5 miles either side of the east course of the radio range to a point 20 miles east of the radio range station.*

13. Section 601.4 (e) (138) is added to read:

(138) *Control area extension (Orlando, Fla.) From the Orlando, Fla., radio range station extending 5 miles on the southeast side and parallel to the northeast course of the Orlando, Fla., radio range to the intersection of the northeast course of the Orlando, Fla., radio range and the northwest course of the Melbourne, Fla., radio range including all that area north of the northeast course of the Orlando radio range between Red civil airway No. 47 and Amber civil airway No. 7.*

14. Section 601.4 (e) (139) is added to read:

(139) *Control area extension (Lexington, Ky.) From the Lexington, Ky., non-directional radio marker beacon extending 5 miles either side of a line 225° magnetic to a point 20 miles southwest of the marker beacon and extending 5 miles either side of a line 45° magnetic from the marker beacon to its intersection with the northwest course of the Lexington, Ky., VHF radio range.*

15. Section 601.8 (c) (240) is added to read:

(240) *Milton, Fla., control zone. Within a 5 mile radius of North Whiting Naval Air Station extending 2 miles either side of the northwest course of the North Whiting (Navy) radio range to a point 10 miles northwest of the radio range station.*

16. Section 601.8 (c) (241) is added to read:

(241) *Albany, Ga., control zone. Within a 5 mile radius of the Municipal Airport extending 2 miles either side of the west and east courses of the Albany radio range to a point 10 miles east of the radio range station, including a 5 mile radius of Turner Air Force Base, and extending 2 miles either side of the north and south courses of the Albany radio range to a point 10 miles south of the radio range station.*

17. Section 601.8 (c) (242) is added to read:

(242) *Lexington, Ky., control zone. Within a 5 mile radius of the Blue Grass Airport extending 2 miles either side of a line 225° magnetic from the Lexington,*

Ky., non-directional radio marker beacon to a point 10 miles southwest of the radio marker beacon.

18. Section 601.9 (a) (4) is amended to read:

(4) *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* Los Angeles, Calif., radio range station; the intersection of the north course of the Los Angeles, Calif., radio range and the southwest course of the Palmdale, Calif., radio range or the Newhall, Calif., radio range station; Palmdale, Calif., radio range station; Daggett, Calif., radio range station; Needles, Calif., radio range station; Prescott, Ariz., radio range station; Winslow, Ariz., radio range station; El Morro, N. Mex., radio range station; Acoma, N. Mex., radio range station; Albuquerque, N. Mex., radio range station; the intersection of the east course of the Otto, N. Mex., radio range and the southwest course of the Las Vegas, N. Mex., radio range; Tucumcari, N. Mex., radio range station; Amarillo, Tex., radio range station; Gage, Okla., radio range station; Wichita, Kans., radio range station; Lebo, Kans., radio range station; Kansas City, Mo., radio range station; Columbia, Mo., radio range station; St. Louis, Mo., radio range station; Effingham, Ill., radio range station; Terre Haute, Ind., radio range station; Indianapolis, Ind., radio range station; the intersection of the northeast course of the Indianapolis, Ind., radio range and the northwest course of the Cincinnati, Ohio, radio range or the Greenfield, Ind., radio marker beacon; the intersection of the west course of the Columbus, Ohio, radio range and the north course of the Dayton, Ohio, radio range; Columbus, Ohio, radio range station; the intersection of the west course of the Pittsburgh, Pa., radio range and the southeast course of the Cleveland, Ohio, radio range; Pittsburgh, Pa., radio range station; Altoona, Pa., radio range station; Harrisburg, Pa., radio range station; the intersection of the southwest course of the Allentown, Pa., radio range and the east course of the Harrisburg, Pa., radio range; Philadelphia, Pa., radio range station.

19. Section 601.9 (b) (9) is amended by changing caption to read:

(9) *Amber civil airway No. 9 (Charleston, S. C., to New York, N. Y.)* * * *

20. Section 601.9 (c) (14) is amended to read:

(14) *Red civil airway No. 14 (Lone Rock, Wis., to Louisville, Ky.)* Rockford, Ill., radio range station; Chicago, Ill., radio range station; the intersection of the east course of the Harvey, Ill., radio range and the southeast course of the Chicago, Ill., radio range; the intersection of the northeast course of the Lafayette, Ind., radio range and the northwest course of the Indianapolis, Ind., radio range.

21. Section 601.9 (c) (20) is amended to read:

(20) *Red civil airway No. 20 (Lansing, Mich., to Washington, D. C.)* Akron, Ohio, radio range station; the

intersection of the northwest course of the Washington, D. C., radio range and the northeast course of the Martinsburg, W. Va., radio range; the intersection of the southeast course of the Washington, D. C., radio range and the northeast course of the Patuxent River, Md. (Navy) radio range.

22. Section 601.9 (c) (75) is added to read:

(75) *Red civil airway No. 75 (U. S.-Canadian Border, Vancouver, B. C., to U. S.-Canadian Border, Abbotsford, B. C.)* No reporting point designation.

23. Section 601.9 (c) (77) is added to read:

(77) *Red civil airway No. 77 (Richmond, Va., to Millville, N. J.)* No reporting point designation.

24. Section 601.9 (d) (19) is amended to read:

(19) *Blue civil airway No. 19 (Miami, Fla., to Orlando, Fla.)*. The intersection of the north course of the Miami, Fla., radio range and the west course of the West Palm Beach, Fla., radio range.

25. Section 601.9 (d) (20) is amended by changing the caption to read:

(20) *Blue civil airway No. 20 (Atlantic City, N. J., to Allentown, Pa.)*. * * *

26. Section 601.9 (d) (32) is amended by changing the caption to read:

(32) *Blue civil airway No. 32 (Pendleton, Oreg., to Fairbanks, Alaska)*. * * *

27. Section 601.9 (d) (56) is amended by changing the caption to read:

(56) *Blue civil airway No. 56 (Elizabeth City, N. C., to Washington, D. C.)*. * * *

This amendment shall become effective 0001 e. s. t., December 1, 1948.

(Sec. 205, 301, 302, 307, and 308; 52 Stat. 984, 985, 986; 54 Stat. 1233, 1235; Pub. Law 872, 80th Cong., 49 U. S. C., 425, 451, 452, 457, 458)

[SEAL]

F. B. LEE,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 48-10353; Filed, Nov. 23, 1948; 8:47 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of the Housing Expediter

[Controlled Housing Rent Reg., Amdt. 51]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1-825.12) is amended in the following respect:

1. Schedule B is amended by incorporating item 36 as follows:

36. Provisions relating to Jamestown Defense-Rental Area, State of New York.

* 13 F. R. 5706, 5788, 5783, 5937, 6240, 6263, 6411, 6556, 6581.

Increase in Maximum Rents Based Upon the Recommendation of the Local Advisory Board.

Pursuant to the provisions of, and subject to the limitations contained in, the Housing and Rent Act of 1947, as amended, the maximum rents for all housing accommodations in the Jamestown Defense-Rental Area, State of New York, are increased, effective November 27, 1948, in the amount of 8 percent.

Any maximum rent for housing accommodations in said defense-rental area which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1942 plus 8 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 8 percent, on the filing of an individual petition for adjustment under § 825.5 (a) (11).

All provisions of §§ 825.1 to 825.12 insofar as they are applicable to the Jamestown Defense-Rental Area are hereby amended to the extent necessary to carry there provisions into effect.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e) 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective November 27, 1948.

Issued this 24th day of November 1948.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 51 to the Controlled Housing Rent Regulation

The Local Advisory Board for the Jamestown Defense-Rental Area, State of New York, has, in accordance with section 204 (e) (1) (B) of the Housing and Rent Act of 1947, as amended, recommended an increase in the general rent level in said Defense-Rental Area.

The Housing Expediter has found that this recommendation is appropriately substantiated and is in accordance with applicable law and regulations to the extent of 8 percent, and is therefore issuing this amendment to effectuate such portion of the recommendation.

[F. R. Doc. 48-10393; Filed, Nov. 23, 1948; 1:12 p. m.]

[Rent Reg. for Controlled Rooms in Rooming Houses and Other Establishments, Amdt. 51]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respect:

1. Schedule B is amended by incorporating item 37 as follows:

37. Provisions relating to Jamestown Defense-Rental Area, State of New York.

* 13 F. R. 5750, 5769, 5875, 5937, 5938, 6247, 6263, 6411, 6556, 6582.

Increase in Maximum Rents Based Upon the Recommendation of the Local Advisory Board. Pursuant to the provisions of, and subject to the limitations contained in, the Housing and Rent Act of 1947, as amended, the maximum rents for all housing accommodations in the Jamestown Defense-Rental Area, State of New York, are increased, effective November 27, 1948, in the amount of 8 percent.

Any maximum rent for housing accommodations in said defense-rental area which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1942 plus 8 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 8 percent, on the filing of an individual petition for adjustment under § 825.85 (a) (8).

All provisions of §§ 825.81 to 825.92 insofar as they are applicable to the Jamestown Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (d) 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d) Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective November 27, 1948.

Issued this 24th day of November 1948.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 51 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments

The Local Advisory Board for the Jamestown Defense-Rental Area, State of New York, has in accordance with section 204 (e) (1) (B) of the Housing and Rent Act of 1947, as amended, recommended an increase in the general rent level in said Defense-Rental Area.

The Housing Expediter has found that this recommendation is appropriately substantiated and is in accordance with applicable law and regulations to the extent of 8 percent, and is therefore issuing this amendment to effectuate such portion of the recommendation.

[F. R. Doc. 48-10399; Filed, Nov. 26, 1948; 1:12 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5673]

PART 101—TAXES ON ADMISSIONS, DUES, AND INITIATION FEES

ORIGINAL RETURN TO BE FILED WITH COLLECTOR AND DUPLICATE RETAINED

Regulations 43 (1941 edition) (26 CFR, Part 101) relating to the taxes on admissions, dues and initiation fees under the provisions of the Internal Revenue Code, are hereby amended as follows:

PARAGRAPH 1. Section 101.32, as amended by Treasury Decision 5385, approved June 30, 1944 (26 CFR 101.32) is fur-

ther amended by adding at the end thereof a paragraph reading as follows:

§ 101.32 *Records; admissions.* * * *

(c) *Duplicate returns.* Subject so far as applicable to the conditions prescribed as to other records required by this section each person required to keep such other records shall also retain in his records the duplicate returns required by § 101.33.

PAR. 2. Section 101.33 (26 CFR 101.33) is hereby amended as follows:

(A) By altering the first paragraph thereof as follows:

(i) By striking from the first sentence the word "make" and inserting in lieu thereof the word "prepare"

(ii) By inserting in the second sentence immediately following the first word thereof the word "original"

(iii) By inserting in the third sentence immediately following the first word thereof the word "original."

(iv) By inserting immediately preceding the last sentence the following: "The duplicate return shall be retained as provided by § 101.32 (c) "

(B) By altering the second paragraph as follows:

(i) By striking from the third sentence the word "triplicate" and inserting in lieu thereof the word "duplicate"

(ii) By striking from the last sentence the word "copies" and the words "and duplicate" and inserting in lieu of the word "copies" the word "copy"

PAR. 3. Section 101.38 (26 CFR 101.38) is amended by adding at the end thereof a sentence as follows: "Likewise to be kept as part of the records are the duplicate returns required by § 101.39."

PAR. 4. Section 101.39 (26 CFR 101.39) is amended by altering the first paragraph thereof as follows:

(A) By inserting in the second sentence immediately following the first word thereof the word "original"

(B) By inserting in the third sentence immediately following the first word thereof the word "original"

(C) By inserting immediately preceding the last sentence the following: "The duplicate return shall be retained as provided by § 101.38."

(53 Stat. 467; 26 U. S. C. 3791)

Because this Treasury decision makes only a minor procedural change in net effect reducing the burden of persons subject to the regulations, it is found that it is unnecessary to issue such Treasury decision under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10373; Filed, Nov. 29, 1948; 8:55 a. m.]

[T. D. 5672]

PART 130—TAXES ON SAFE DEPOSIT BOXES AND ON CERTAIN TRANSPORTATION AND COMMUNICATIONS SERVICES

ORIGINAL RETURN TO BE FILED WITH COLLECTOR AND DUPLICATE RETAINED

Regulations 42 (1942 edition) (26 CFR, Part 130) relating to the taxes on safe deposit boxes, transportation of oil by pipe line, telephone, telegraph, radio and cable messages and services, and transportation of persons under the provisions of the Internal Revenue Code, are hereby amended as follows:

PARAGRAPH 1. Section 130.71 (26 CFR 130.71) is amended by changing the designation of paragraph (e) to (f) and inserting a new paragraph (e) to read as follows:

§ 130.71 *Records.* * * *

(e) In addition to the records prescribed in paragraph (a), (b) (c) or (d) each person required to keep such records shall also retain the duplicate returns prescribed by § 130.72.

PAR. 2. Section 130.72, as amended by Treasury Decision 5347, approved March 15, 1944 (26 CFR 130.72) is further amended by altering paragraph (e) thereof as follows:

(A) By striking from the first sentence the words "under oath" and the comma immediately following, and inserting in such sentence immediately preceding the words "must be sworn" the words "the original."

(B) By inserting in the second sentence immediately following the first word thereof the word "original."

(C) By inserting immediately following the second sentence a new sentence as follows: "The duplicate return shall be retained as prescribed by § 130.71 (e) "

(53 Stat. 423, 467, 55 Stat. 722; 26 U. S. C. and Sup., 3472, 3791)

Because this Treasury decision makes only a minor procedural change in net effect, reducing the burden of persons subject to the regulations, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10371; Filed, Nov. 29, 1948; 8:55 a. m.]

[T. D. 5678]

PART 143—TAX WITH RESPECT TO THE TRANSPORTATION OF PROPERTY

ORIGINAL RETURN TO BE FILED WITH COLLECTOR AND DUPLICATE RETAINED

In order to conform Regulations 113 (1943 edition) (26 CFR, Part 143), re-

lating to the tax on the amount paid for the transportation of property, to a change of system for the verification of returns, such regulations are hereby amended as follows:

PARAGRAPH 1. Section 143.51 (26 CFR 143.51) is amended by inserting immediately following the first sentence thereof another sentence reading as follows: "Such person shall also retain as part of his records the duplicate returns required by § 143.52."

PAR. 2. Section 143.52 (26 CFR 143.52) is amended by altering the first paragraph thereof as follows:

(A) By striking from the second sentence the word "made" and inserting in lieu thereof the word "prepared."

(B) By striking from the second sentence thereof "under oath," and inserting therein immediately preceding the words "must be sworn to" the words "the original."

(C) By inserting in the third sentence immediately following the first word thereof the word "original."

(D) By inserting immediately following the third sentence another sentence reading as follows: "The duplicate return shall be retained as prescribed by § 143.51."

(E) By inserting in the last sentence, immediately after the word "sections" the following: "143.51, relating to records,"

(53 Stat. 423, 467, 55 Stat. 722; 26 U. S. C. and Sup., 3472, 3791)

Because this Treasury decision makes only a minor procedural change in net effect reducing the burden of persons subject to the regulations, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10367; Filed, Nov. 29, 1948;
8:54 a. m.]

[T. D. 5676]

PART 302—EXCISE TAX ON SALE OF PISTOLS
AND REVOLVERS

RETURN AND OATH REQUIREMENTS MODIFIED

Regulations 47 (1928 edition) (26 CFR, Part 302) relating to tax on pistols and revolvers sold by the manufacturer, producer, or importer, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 (26 CFR, Cum. Supp., p. 5876), are hereby amended as follows:

PARAGRAPH 1. Article 12 (26 CFR 302.12) is amended as follows:

(A) By altering the first paragraph thereof as follows:

(i) By striking therefrom the words "make monthly returns under oath" and inserting in lieu thereof the words "prepare a monthly return."

(ii) By adding at the end thereof a new sentence reading as follows: "The original return must be under oath."

(B) By altering the third paragraph thereof as follows:

(i) By striking therefrom the opening words "The return must be rendered" and inserting in lieu thereof the words "The original return must be filed."

(ii) By adding at the end thereof a new sentence reading as follows: "The duplicate return shall be retained."

(C) By striking from the first sentence of the eighth paragraph the concluding words "of the taxable sale" and inserting in lieu thereof the words "the tax becomes due"

PAR. 2. Article 15 (26 CFR 302.15) is amended by striking from the fourth sentence of the first paragraph thereof the word "sworn"

PAR. 3. Article 17 (26 CFR 302.17) is amended as follows:

(A) By striking from the first paragraph the words "an affidavit" and inserting in lieu thereof the words "a statement"

(B) By striking from the second and third paragraphs the word "affidavit" and inserting in lieu thereof the word "statement"

(53 Stat. 467, 26 U. S. C. 3791)

Because this Treasury decision makes only procedural changes in net effect relieving restrictions, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10369; Filed, Nov. 29, 1948;
8:55 a. m.]

[T. D. 5674]

PART 314—TAXES ON GASOLINE, LUBRICATING
OIL, AND MATCHES

RETURN AND OATH REQUIREMENTS MODIFIED

Regulations 44 (1944 edition) (26 CFR, Part 314) relating to taxes on gasoline, lubricating oil, and matches, are amended as follows:

PARAGRAPH 1. Section 314.23 (26 CFR 314.23) is amended by striking from the first sentence of the second paragraph thereof the word "sworn"

PAR. 2. Section 314.25 (26 CFR 314.25) is amended by striking from the second and third paragraphs the word "sworn" wherever it appears therein.

PAR. 3. Section 314.26 (26 CFR 314.26) is amended as follows:

(A) By striking from the first paragraph thereof the word "sworn"

(B) By altering the second paragraph thereof as follows:

(i) By striking from the first sentence the words "an affidavit" and inserting in lieu thereof the words "a statement"

(ii) By striking from the second and third sentences the word "affidavit" and inserting in lieu thereof the word "statement"

PAR. 4. Section 314.29 (26 CFR 314.29) is amended by striking from the last sentence of the second paragraph the word "sworn"

PAR. 5. Section 314.60 (26 CFR 314.60) is amended as follows:

(A) By altering the first paragraph thereof as follows:

(i) By striking from the first sentence of the first paragraph the words "make a return" and inserting in lieu thereof the words "prepare a return for each calendar month in duplicate"

(ii) By striking from the second sentence the words "in duplicate" and the words "for each calendar month" and inserting before the word "return" the word "original"

(iii) By striking from the fourth sentence the opening word "Such" and inserting in lieu thereof the words "The original"

(B) By adding at the end thereof a new paragraph reading as follows:

The duplicate return shall be retained as prescribed by § 314.62.

PAR. 6. Section 314.62 (26 CFR 314.62) is amended by inserting in the first sentence of the first paragraph after the word "records" the following: "including the duplicate returns prescribed by § 314.60."

PAR. 7. Section 314.64 (26 CFR 314.64) is amended as follows:

(A) By striking out the word "sworn" wherever it appears.

(B) By striking out the word "affidavit" wherever it appears and inserting in lieu thereof the word "statement"

(C) By amending the "Statement of Ultimate Vendor" as follows:

(i) By striking out the first paragraph and inserting in lieu thereof the following:

The undersigned certifies that he himself or the _____ (Name of vendor if other than undersigned)

of which he is _____ is the ultimate vendor (Title)

of the articles specified below or on the reverse side hereof;

(ii) By striking out "Subscribed and sworn to before me this _____ day of _____, 19____" and inserting in lieu thereof the following: "_____" (Date)

(D) By striking out the tenth paragraph.

(53 Stat. 419, 467; 26 U. S. C. 3450, 3791)

Because this Treasury decision makes only procedural changes in net effect relieving restrictions, it is found that it is unnecessary to issue such Treasury Decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective

date limitation of section 4 (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10372; Filed, Nov. 29, 1948;
8:55 a. m.]

[T. D. 5675]

**PART 316—EXCISE TAXES ON SALES BY THE
MANUFACTURER**

RETURN AND OATH REQUIREMENTS MODIFIED

Regulations 46 (1940 edition) (26 CFR, Part 316) relating to taxes on articles sold by the manufacturer, producer, or importer, are hereby amended as follows:

PARAGRAPH 1. Section 316.22 (26 CFR 316.22) is amended by striking from the first sentence of the second paragraph thereof the word "sworn"

PAR. 2. Section 316.23 (26 CFR 316.23) is amended by striking from the first sentence of the second paragraph thereof the word "sworn"

PAR. 3. Section 316.25 (26 CFR 316.25) is amended by striking from the second and third paragraphs thereof the word "sworn" wherever it appears therein.

PAR. 4. Section 316.26 (26 CFR 316.26) is amended as follows:

(A) By striking from the first paragraph thereof the word "sworn"

(B) By altering the second paragraph as follows:

(i) By striking from the first sentence the words "an affidavit" and inserting in lieu thereof the words "a statement"

(ii) By striking from the second and third sentences the word "affidavit" and inserting in lieu thereof the word "statement"

PAR. 5. Section 316.29 (26 CFR 316.29) is amended by striking from the second sentence of the second paragraph the word "sworn"

PAR. 6. Section 316.200, as renumbered and amended by Treasury Decision 5099, approved November 28, 1941 (26 CFR 316.200) is amended as follows:

(A) By altering the first paragraph thereof as follows:

(i) By striking from the first sentence the words "make a return" and inserting in lieu thereof the words "prepare a return for each calendar month in duplicate"

(ii) By striking from the second sentence the words "in duplicate" and the words "for each calendar month" and inserting immediately preceding the word "return" and word "original"

(iii) By striking from the fourth sentence the opening word "Such" and inserting in lieu thereof the words "The original"

(B) By striking from the first sentence of the third paragraph the word "made" and inserting in lieu thereof the word "prepared"

(C) By adding at the end thereof a new paragraph reading as follows:

The duplicate return shall be retained as prescribed by § 316.202.

PAR. 7. Section 316.202, as renumbered by Treasury Decision 5099 (26 CFR 316.202) is amended by inserting in the first sentence of the first paragraph immediately following the word "records" the following: "including the duplicate returns prescribed by § 316.200,"

PAR. 8. Section 316.204, as amended by Treasury Decision 5348, approved March 15, 1944 (26 CFR 316.204), is amended as follows:

(A) By striking out the word "sworn" wherever it appears therein.

(B) By striking out the word "affidavit" wherever it appears in the ninth and tenth paragraphs, and inserting in lieu thereof the word "statement"

(C) By altering the "Statement of Ultimate Vendor" as follows:

(i) By changing the first paragraph to read as follows:

The undersigned certifies that he himself, or the _____ of (Name of vendor if other than undersigned) which he is _____, is

(Title)

the ultimate vendor of the articles specified below or on the reverse side hereof;

(ii) By striking out "Subscribed and sworn to before me this _____ day of _____ 19____" and inserting in lieu thereof the following: "_____"

(Date)

(D) By striking out the eleventh paragraph.

(53 Stat. 419, 467; 26 U. S. C. 3450, 3791)

Because this Treasury decision makes only procedural changes in net effect relieving restrictions, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4. (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10370; Filed, Nov. 29, 1948;
8:55 a. m.]

[T. D. 5677]

PART 320—RETAILERS' EXCISE TAXES

RETURN AND OATH REQUIREMENTS MODIFIED

Regulations 51 (1941 edition) (26 CFR, Part 320) relating to taxes on articles sold at retail, are hereby amended as follows:

PARAGRAPH 1. Section 320.70, as renumbered and amended by Treasury Decision 5353, approved March 31, 1944 (26 CFR 320.70) is amended by altering the first paragraph thereof as follows:

(A) By striking from the first sentence the words "make a return" and inserting in lieu thereof the words "prepare a return for each calendar month in duplicate"

(B) By striking from the second sentence the words "made in duplicate" and the words "for each calendar month"

and inserting immediately preceding the word "return" the word "original"

(C) By striking from the fourth sentence the opening word "Such" and inserting in lieu thereof the words "The original"

PAR. 2. Section 320.72, as renumbered by Treasury Decision 5353 (26 CFR 320.72) is amended by inserting in the first sentence of the first paragraph, immediately after the word "records" the following: "including the duplicate copy of each return as prescribed by § 320.70,"

PAR. 3. The third paragraph of § 320.76 as renumbered by Treasury Decision 5353 (26 CFR 320.76), is amended by striking out the word "sworn" wherever it appears therein.

(53 Stat. 467, 55 Stat. 720; 26 U. S. C. and Sup., 3791, 2410)

Because this Treasury decision makes only procedural changes in net effect reducing the burden incident to compliance with the regulations, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 23, 1948.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10368; Filed, Nov. 29, 1948;
8:54 a. m.]

**TITLE 31—MONEY AND
FINANCE: TREASURY**

Chapter IV—Secret Service, Department of the Treasury

EDITORIAL CHANGES INCIDENT TO PUBLICATION OF CODE OF FEDERAL REGULATIONS, 1949 EDITION

In order to conform Chapter IV of Title 31 to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the regulations of the Administrative Committee of the Federal Register and approved by the President effective October 12, 1948 (13 F. R. 5929) the following editorial changes are made, effective upon their publication in the FEDERAL REGISTER.

1. In Part 400, §§ 400.1, 400.4 and 400.5 are deleted, and §§ 400.2 and 400.3 are redesignated §§ 400.1 and 400.2, respectively.

2. In Part 401, § 401.1 is deleted, and §§ 401.2 to 401.6 are redesignated §§ 401.1 to 401.5, respectively.

3. In Part 402, §§ 402.1 and 402.3 are deleted, and § 402.2 is redesignated § 402.1.

4. In Part 403, §§ 403.1 and 403.3 are deleted, and § 403.2 is redesignated § 403.1.

5. In Part 405, §§ 405.1 and 405.3 are deleted, and § 405.2 is redesignated § 405.1.

6. The codification of Part 406—Organization, is discontinued. Future amendments to this material will ap-

pear in the Notices section of the FEDERAL REGISTER.

7. Part 407 is deleted.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-10366; Filed, Nov. 29, 1948;
8:54 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

REORGANIZATION AND RENUMBERING OF
MATERIAL FORMERLY CODIFIED IN CHAP-
TERS I, III, AND IV

EDITORIAL NOTE: In order to conform Chapters I, III, and IV of Title 33 to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed by the regulations of the Administrative Committee of the Federal Register and approved by the President effective October 12, 1948 (13 F. R. 5929) the following editorial changes are made, effective upon their publication in the FEDERAL REGISTER:

1. Chapters I, III, and IV are renumbered and consolidated into a new chapter under the headline "Chapter I—Coast Guard, Department of the Treasury."

2. Certain parts and sections are renumbered as follows:

Old part No.	New part No.	Old section No.	New section No.
1	1	(0)	(0)
2	110	(0)	(0)
3	105	(0)	(0)
4	(See 30, 33, 45).	(0)	(0)
5	5	(0)	(0)
8	5	(0)	(0)
11	50	(0)	(0)
12	52	(0)	(0)
14	51	(0)	(0)
16	16	(0)	(0)
20	20	(0)	(0)
	20	4.10	30.01
		4.11	30.03
		4.12	30.10
		4.13	30.15
		4.14	30.20
		4.15	30.23
		4.16	30.30
		4.17	30.35
		4.18	30.40
		4.19	30.45
		4.20	30.50
		4.21	30.53
		4.22	30.60
	33	4.23	33.01-1
		4.24	33.01-5
40	40	(0)	(0)
	45	4.25	45.01
		4.26	45.03
		4.27	45.10
		4.28	45.15
		4.29	45.20
		4.30	45.25
		4.31	45.30
		4.32	45.35
		4.33	45.40
		4.34	45.45
		4.35	45.50
302	82	(0)	(0)
303	100	(0)	(0)
304	84	(0)	(0)
312	80	(0)	(0)
322	90	(0)	(0)
323	92	(0)	(0)
324	93	(0)	(0)
402	62	(0)	(0)
403	68	(0)	(0)
404	63	(0)	(0)

¹No change in numbers to the right of decimal point.

3. As so renumbered the material is reorganized under nine subchapters as follows:

SUBCHAPTER A—GENERAL

Part

- 1 General Organization and Jurisdiction
- 5 Regulations, United States Coast Guard Auxiliary
- 8 Regulations, United States Coast Guard Reserve
- 16 Regulations for Receipt of Donations for Chapel, Coast Guard Academy
- 20 Procedures Applicable to the Public

SUBCHAPTER B—MILITARY PERSONNEL

- 30 Appointments of Officers
- 33 Appointments of Civilians as Commissioned Officers, Chief Warrant Officers, and Warrant Officers
- 40 Cadets of the Coast Guard
- 45 Enlistments
- 50 Coast Guard Retiring Review Board
- 51 Regulations for Panel and Boards on Review of Discharges and Dismissals of Former Members of the Coast Guard
- 52 Regulations for Board on Correction of Military Records of the Coast Guard

SUBCHAPTER C—AIDS TO NAVIGATION

- 62 Aids to Navigation
- 66 Lighting of Bridges
- 68 Vessels

SUBCHAPTER D—NAVIGATION REQUIREMENTS FOR CERTAIN INLAND WATERS

- 80 Pilot Rules for Inland Waters
- 82 Boundary Lines of Inland Waters
- 84 Towing of Barges

SUBCHAPTER E—NAVIGATION REQUIREMENTS FOR THE GREAT LAKES AND ST. MARY'S RIVER

- 90 Pilot Rules for the Great Lakes
- 92 Anchorage and Navigation Regulations; St. Mary's River, Michigan

SUBCHAPTER F—NAVIGATION REQUIREMENTS FOR WESTERN RIVERS

- 95 Pilot Rules for Western Rivers

SUBCHAPTER G—MARINE REGATTAS OR MARINE PARADES

- 100 Regulations to Promote the Safety of Life on Navigable Waters During Regattas or Marine Parades

SUBCHAPTER H—ROUTES FOR PASSENGER VESSELS

- 105 Publication of North Atlantic Passenger Routes

SUBCHAPTER I—CONSERVATION OF MARINE LIFE

- 110 Whaling

Subchapter B—Military Personnel [CGFR 48-37]

PART 33—APPOINTMENTS OF CIVILIANS AS COMMISSIONED OFFICERS, CHIEF WAR- RANT OFFICERS, AND WARRANT OFFICERS

SUBPART 33.05—APPOINTMENTS OF LICENSED OFFICERS OF THE UNITED STATES MER- CHANT MARINE AS COMMISSIONED OF- FICERS, CHIEF WARRANT OFFICERS, AND WARRANT OFFICERS

The following regulations are prescribed and shall be effective on and after the date of publication of this order in the FEDERAL REGISTER:

- Sec. 33.05-1 Purpose.
- 33.05-3 Appointments.
- 33.05-5 Precedence.

- Sec. 33.05-7 General requirements for eligibility.
- 33.05-9 Specific requirements for commissioned officers.
- 33.05-11 Exceptions to general and specific requirements for commissioned officers.
- 33.05-13 Specific requirements for chief warrant and warrant officers.
- 33.05-15 Scope of examinations.
- 33.05-17 Procedure for making application.
- 33.05-19 Determination of eligibility and notification for examination.
- 33.05-21 Conducting of examination.
- 33.05-23 Notification.
- 33.05-25 Requirements for examination and re-examination.
- 33.05-27 Physical standards.

AUTHORITY: §§ 33.05-1 to 33.05-27 issued under section 8, 18 Stat. 127, as amended, and sections 3, 4, 5, 6, and 7, 61 Stat. 410-412; 14 U. S. C., §§ 202-1, 202-2, 21a and 92.

NOTE: The text of §§ 33.05-1 to 33.05-27 is also contained in the "Regulations Governing Appointments of Licensed Officers of the United States Merchant Marine to Commissioned, Chief Warrant and Warrant Rank in the United States Coast Guard," which may be obtained upon request from the Commandant (PTP), U. S. Coast Guard Headquarters, Washington 25, D. C.

§ 33.05-1 *Purpose.* The regulations in this subpart govern the appointments of licensed officers of the United States Merchant Marine as commissioned officers, chief warrant officers, and warrant officers in the United States Coast Guard.

§ 33.05-3 *Appointments.* The appointments will be made in ranks or specialties appropriate to the qualifications and experience of the applicants. Any person who accepts such an appointment as a commissioned officer shall serve a probationary period of two years. During this period his commission may be revoked if his services are unsatisfactory. The commissioned officer while serving a probationary period will be subject to the same rules of conduct and performance of duty as are applicable to all officers in the Coast Guard.

§ 33.05-5 *Precedence.* (a) Officers appointed under this subpart who, during any period of World War II, did not serve temporarily as commissioned officers of the Coast Guard, or as commissioned officers who were regular members of the Coast Guard Reserve, shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other in the order recommended by the selecting and examining board as approved by the Secretary of the Treasury.

(b) Officers appointed under this subpart who, during any period of World War II, served temporarily as commissioned officers of the Coast Guard, or as commissioned officers who were regular members of the Coast Guard Reserve on active duty, shall assume a lineal position on the precedence list of regular Coast Guard officers as determined by the following formulae:

(1) The highest grade in which the appointee served on active duty for a period of at least three months, and the

date of rank held while so serving will be determined.

(2) The date of rank determined by subparagraph (1) of this paragraph will be adjusted by adding thereto one-half of the period of time served in inactive Reserve status since release from active duty or one-half of the period of time served on active duty as a chief warrant officer, warrant officer, or enlisted man of the Coast Guard, since termination of temporary commissioned status, plus any period of time since release from active duty, or termination of temporary commissioned status, during which the appointee had no Coast Guard or Coast Guard Reserve status.

(3) If the grade determined by subparagraph (1) of this paragraph is captain, and the adjusted date of rank as such is subsequent to March 25, 1945, the adjustment will be made upon the appointee's former date of rank in the grade of commander, and the appointment will be made in the latter grade.

(4) If the grade determined by subparagraph (1) of this paragraph is commander, and the adjusted date of rank as such is subsequent to March 15, 1944, the adjustment will be made upon the appointee's former date of rank in the grade of lieutenant commander, and the appointment will be made in the latter grade.

(5) If the grade determined by subparagraph (1) of this paragraph is lieutenant commander, and the adjusted date of rank as such is subsequent to April 1, 1944, the adjustment will be made upon the appointee's former date of rank in the grade of lieutenant, and the appointment will be made in the latter grade.

(6) If the grade determined by subparagraph (1) of this paragraph is lieutenant, and the adjusted date of rank as such is subsequent to January 1, 1944, the adjustment will be made upon the appointee's former date of rank in the grade of lieutenant (junior-grade) and the appointment will be made in the latter grade.

(7) If the grade determined by subparagraph (1) of this paragraph is lieutenant (junior-grade) or ensign, the appointment will be made in the grade determined.

(8) Precedence will be established in accordance with the adjusted date of rank in the grade to which appointed. If there is any officer on active duty in the same grade with the same date of rank, the appointee shall take precedence next after him, or next after the most junior of such officers if there is more than one.

(9) If the adjusted date of rank of two or more appointees is identical, the lineal position among them will be determined in accordance with their relative seniority on January 1, 1946, or at the time of release of the first officer released from active duty, whichever is the earlier.

(10) In the event that the Secretary of the Treasury finds that the grade and precedence determined for any person who, during any period of World War II, served temporarily as a commissioned officer of the Coast Guard is such that

the position of the appointee on the lineal list would be manifestly in disagreement with the established precedence of other officers, the Secretary may establish a different precedence which is better suited to the established precedence of other officers and shall assign a date of rank which will correspond to that precedence.

(11) In the event that the permanent regular officer next senior to the appointee, who has not failed to qualify for permanent promotion, is serving in that grade under an appointment for temporary service, the appointee will be permanently commissioned in the next lower grade with such date of rank as will afford him the same relative precedence, and then be advanced for temporary service to the grade as determined by this section.

(12) Notwithstanding the provisions of subparagraphs (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) and (11) of this paragraph, any Reserve officer who is appointed to permanent commissioned grade in the regular Coast Guard, and who has served continuously on active duty since 1 March, 1948, shall have the date of rank and precedence which was established for him as of that date.

§ 33.05-7 General Requirements for eligibility. In order to be considered for appointment as a commissioned officer, chief warrant officer, or warrant officer in the Coast Guard, an applicant must:

(a) Be a male citizen of the United States.

(b) Reach at least his 21st birthday in the year in which application is made. No applicant will be commissioned who has not reached his 21st birthday.

(c) Not reach his 40th birthday in the year in which application is made. No applicant will be commissioned who has reached his 40th birthday.

(d) Satisfy the Commandant of the Coast Guard as to his good moral character. No person who has been convicted of a felony is eligible for appointment as a commissioned officer, chief warrant officer, or warrant officer.

(e) Be physically sound, not less than five feet six inches in height, stripped, nor more than six feet four inches in height, stripped.

(f) Meet specific requirements of the grade for which considered.

§ 33.05-9 Specific requirements for commissioned officers. In order to be considered for appointment as a commissioned officer in the Coast Guard, an applicant must:

(a) Have served four or more years aboard a vessel of the United States in the capacity of a licensed officer.

(b) Receive a satisfactory grade in a written examination in each of the following subjects:

(1) Laws and regulations pertaining to the United States Merchant Marine.

(2) Mathematics.

(3) English.

(4) General science.

(5) Ship construction.

(6) Tests of emotional stability, social adjustment, vocational interest, study habits, background, or personality characteristics as may be administered.

(c) If a licensed deck officer, receive a satisfactory grade in a written examination in each of the following additional subjects:

(1) Navigation.

(2) Seamanship.

(d) If a licensed engineer officer, receive a satisfactory grade in a written examination in each of the following additional subjects:

(1) Marine engineering.

(2) Electrical engineering.

(e) Be interviewed by a Board of at least three Coast Guard officers of the rank of Lieutenant Commander or above, who will assign the applicant a mark in general adaptability.

(f) Meet physical standards prescribed for original entry into the U. S. Coast Guard as outlined in § 33.05-27.

§ 33.05-11 Exceptions to general and specific requirements. Notwithstanding the limitations prescribed in §§ 33.05-7 (c) and 33.05-9 (b) (c) and (d), the Commandant may, when the needs of the Service so require, recommend to the Secretary of the Treasury the appointment of an individual possessing outstanding professional qualifications for a particular assignment requiring special knowledge which is not available in the commissioned corps of the Coast Guard.

§ 33.05-13 Specific requirements for chief warrant and warrant officers. In order to be considered for appointment as a chief warrant officer or warrant officer in the Coast Guard, an applicant must:

(a) Be a licensed officer of the United States Merchant Marine.

(b) Receive a satisfactory grade in a written examination in each of the following subjects:

(1) Laws and Regulations pertaining to the United States Merchant Marine.

(2) Mathematics.

(3) English.

(4) Tests of emotional stability, social adjustment, vocational interest, study habits, background, or personality characteristics as may be administered.

(c) Receive a satisfactory grade in a written examination in the specialty for which application is being made.

(d) Be interviewed by a Board of at least three Coast Guard officers of the rank of Lieutenant Commander or above who will assign the applicant a mark in general adaptability.

(e) Meet physical standards prescribed for original entry into the U. S. Coast Guard as outlined in § 33.05-27.

§ 33.05-15 Scope of examinations—

(a) *General.* The scope of the examinations listed in §§ 33.05-9 and 33.05-13 are described generally in this section. The examination in any one subject may not cover all the topics described under that subject. However, to insure adequate preparation for the examination, all topics should be studied.

(b) *Laws and regulations pertaining to the United States Merchant Marine.* The topics included are: Life saving apparatus; safety equipment; regulations governing safety and comfort of passengers and crews; pratique; annual and

special inspections; notices to be posted; procedures in disputes and casualties.

(c) *Mathematics.* The topics included are: Principles and theorems of algebra, plane geometry, and plane trigonometry, with practical problems therein.

(d) *English.* The topics included are: Principles of English grammar and composition; clearness, effectiveness, and correctness of expression; spelling; punctuation; demonstration of ability to write clear and well organized paragraphs in a short essay or composition on a work of literature, or a recent current event.

(e) *General science.* The topics included are: Basic principles of physics and chemistry, with practical problems therein.

(f) *Ship construction.* The topics included are: Hull systems, structure, fittings and equipment; buoyancy; stability; ship maintenance, preservation, and repair; subdivision; damage and control thereof; shipyard practices.

(g) *Navigation.* The topics included are: Use and care of instruments used in navigation; definitions of nautical astronomy; buoyage system of the United States; piloting; principles of compass compensation; practical problems in determining latitude, longitude, azimuths, compass error, times of sunrise and sunset, and tides and currents.

(h) *Seamanship.* The topics included are: Types and characteristics of ships and boats; ropes, knots, and splices; standing and running rigging; ground tackle; deck seamanship; watchstanding; signals; rules of the road; weather; ship handling.

(i) *Marine engineering.* The topics included are: Descriptions and principles of operation of marine boilers and fittings, turbines, steam reciprocating engines, internal combustion engines, and fireroom and engineroom auxiliaries; lubrication; maintenance and repair.

(j) *Electrical engineering.* The topics included are: Definitions; measurements; magnets and magnetism; Ohm's Law; Kirchhoff's Laws; solutions of D. C. networks; D. C. generators; D. C. motors; inductance, capacitance, and impedance; power factor; A. C. measurements; solutions of A. C. networks; A. C. generators; A. C. motors; safety precautions; batteries.

§ 33.05-17 *Procedure for making application.* (a) Those persons who consider themselves eligible under the regulations in this subpart and desire to apply for an appointment as a commissioned officer, chief warrant officer, or warrant officer in the U. S. Coast Guard should address a letter to the Commandant (PTP) United States Coast Guard, Washington 25, D. C., requesting an application, Coast Guard form CG-10116.

(b) Coast Guard form CG-10116 shall be completed in its entirety and mailed, with all the inclosures required, to the Commandant (PTP), U. S. Coast Guard, Washington 25, D. C.

§ 33.05-19 *Determination of eligibility and notification for examination.* (a) Upon receipt of Coast Guard form CG-10116 and inclosures at Coast Guard Headquarters, a determination will be made as to whether the applicant is

eligible to participate in examinations for appointment as commissioned officer, chief warrant officer, or warrant officer in the Coast Guard. A list will then be prepared of those applicants who are in all respects qualified to compete in any examinations to be held in the calendar year in which application is made.

(b) When it is determined when examinations are to be conducted, all candidates on the list will be notified at least two months prior to the date of the examination. Instructions will be issued as to place, time, schedule of examination, etc.

(c) Lists of candidates eligible to take examinations are good only for a calendar year, and if the needs of the Coast Guard do not require the holding of the examination during any calendar year applicants on the list will be so notified. Applicants who desire to place their names on the new eligibility list for the following calendar year need only to re-affirm their desire and their names will be placed on the list. Complete renewal of original application is not required.

§ 33.05-21 *Conducting of examinations.* (a) Examinations will be conducted at various centers throughout the country. The schedule of examinations will normally be as follows:

(1) Commissioned officers.

First day: 8:00 a. m. to 12 noon—Laws and Regulations pertaining to the United States Merchant Marine; Mathematics; 1:00 p. m. to 4:30 p. m.—English; Aptitude Tests.

Second day: 8:00 a. m. to 12 noon—Navigation; Seamanship or Marine Engineering; Electrical Engineering; 1:00 p. m. to 4:30 p. m. Ship Construction; General Science.

Third day: 8:00 a. m. to 12 noon—Interviews.

(2) Chief warrant officers and warrant officers.

First day: 8:00 a. m. to 12 noon—Laws and Regulations pertaining to the United States Merchant Marine; Mathematics; 1:00 p. m. to 4:30 p. m.—English; Aptitude Tests.

Second day: 8:00 a. m. to 12 noon—Examination in Specialty; 1:00 p. m. to 4:30 p. m.—Interviews.

(b) Each candidate will appear before a Board of three commissioned officers of the Coast Guard, of the rank of Lieutenant Commander or above, for an interview. The Boards will be appointed by the Commanders of the Coast Guard Districts in which examinations are being conducted. Based upon this interview each applicant will receive a grade which reflects the judgment of the Board as to his adaptability for service as a Coast Guard commissioned or warrant officer.

§ 33.05-23 *Notification.* (a) All examination papers will be graded and reviewed, and adaptability of applicants for entrance into the Coast Guard determined by a Board of officers, Coast Guard Headquarters, Washington, D. C. This Board will be appointed by the Secretary of the Treasury and the Board's findings, when approved by the Secretary, are final.

(b) Applicants for appointments as commissioned, chief warrant, or warrant officers in the Coast Guard who are determined to be mentally and morally suited for the appointment will be so notified and directed to report for a final physical examination.

(c) When the results of the final physical examinations are received at Coast Guard Headquarters and it is determined that eligible applicants are physically qualified, they will be so notified.

(d) All candidates for appointments as commissioned, chief warrant, or warrant officers in the Coast Guard who are found to be not mentally, morally, or physically qualified for the appointment will be so notified.

(e) Appointments to commissioned, or chief warrant officer rank, will be made by the President, by and with the advice and consent of the Senate. Appointments to warrant officer rank will be made by the Secretary of the Treasury. Appointments will be offered to successful candidates to such extent as the needs of the Coast Guard require. Upon acceptance by the candidate he will be ordered immediately to active duty in the Coast Guard.

§ 33.05-25 *Requirements for examination and re-examination.* (a) All expenses in connection with application, physical examination, and travel to point of examination and interview must be borne by the candidate. Examinations will be given at specified times and places. Candidates will be given sufficient notice to arrange their personal affairs for the time necessary for examination.

(b) Examinations will be held simultaneously for all approved applicants and no exceptions will be made to permit holding special examinations at another time if a candidate is unable to participate in the scheduled examination. All candidates will be notified as promptly as possible as to the results of the examinations.

(c) Candidates who have failed an examination will be permitted to undertake subsequent examinations if they are, in all other respects, qualified for consideration for appointment in the United States Coast Guard.

§ 33.05-27 *Physical standards.* Examining medical officers in the field will prepare medical certificates on applicants in strict accordance with the regulations in this subpart. They have no authority to deviate in any respect from the requirements. The medical certificates will contain the actual facts as disclosed by the physical examination, together with the opinion of the examining physicians as to whether or not the candidate is physically qualified for appointment. Final determination as to physical qualification based on the facts disclosed by this report and the opinion of the examining medical officers will be made by the Commandant. The following are the general disqualifications, but it is impossible to specify every disease or condition which would disqualify an applicant, and an applicant will be rejected in case he presents any disease or physical condition which manifestly renders him unfit for duty, although such disease

or condition may not be specifically mentioned herein:

(a) Any acute disease.

(b) Mental infirmities: Insanity; idiocy; imbecility; dementia; feeble-mindedness.

(c) Diseases of the cerebrospinal system: Epilepsy; chorea; all forms of paralysis; tabes dorsalis; neuralgia; stuttering or other impediment of speech.

(d) Constitutional diseases: Feebleness of constitution; poor physique; impaired general health; suspected tuberculosis or syphilis. Wassermann test is obligatory in all cases.

(e) The skin: All chronic, contagious, and parasitic diseases of the skin; extensive nevi; deep and adherent cicatrices; chronic ulcers; vermin.

(f) The head: Abnormally large head; considerable deformities the consequence of fracture; serious lesions of the skull, the consequence of complicated wounds or the operation of trephining; caries and exfoliation of the bone; injuries of cranial nerves; tinea capitis; alopecia, perforation or marked deviation of nasal septum; ozena; nasal polypi; chronic nasal catarrh.

(g) The spine: Caries; spina, bifida; lumbar abscess; rickets; fracture and dislocation of the vertebra, angular curvatures, including gibbosity of the anterior and posterior parts of the thorax.

(h) The ears: Deafness of one or both ears; all catarrhal and purulent forms of acute and chronic otitis media; perforated ear drum; polypi and other growths or diseases of the tympanum; closure of the auditory canal, partial or complete, except from acute abscess; furuncle, or impacted cerumen; malformation or loss of the external ear and all diseases thereof, except those which are slight and nonprogressive.

(i) (1) The eye: Loss of eye; total loss of sight of either eye; conjunctival affections, including trachoma; entropion; opacities of the cornea, if covering a part of moderately dilated pupil; pterygium, if extensive; strabismus; hydrophthalmia; exophthalmia, conical cornea; cataract; loss of crystalline lens; diseases of the lachrymal apparatus; ectropion; ptosis; incessant spasmodic motion of the lids; adhesion of the lids; large encysted tumors; abscess of the orbit; muscular asthenopia; nystagmus; any affection of the globe of the eye or its contents; defective vision, including anomalies of accommodation and refraction; myopia; hypermetropia, if accompanied by asthenopia; astigmatism; amblyopia; glaucoma; diplopia; color blindness. The candidate must have 20/30 vision, uncorrected, in each eye.

(2) Defective vision due to disease of the eye grounds, shall be cause for rejection at any time.

(j) The face: Extensive nevi; unsightly hairy spots; extensive cicatrices on the face.

(k) The mouth and fauces: Harelip, simple, double, or complicated; loss of the whole or a considerable part of either lip; unsightly mutilation of the lips from wounds, burns, or disease; loss of the whole or part of either maxilla; ununited fractures; ankylosis; deformities of either jaw interfering with mastication or

speech; loss of certain teeth; cancerous or erectile tumors; hypertrophy or atrophy of the tongue; mutilation of the tongue; adhesions of the tongue; chronic ulceration; fissures or perforations of the hard palate; salivary of bucconasal and thyroglossal fistulae; hypertrophy of the tonsils sufficient to interfere with respiration or phonation.

(l) The neck: Goiter, scrofulous adenitis of the cervical glands; tracheal openings; thyroglossal or cervical fistulae; wry neck; chronic laryngitis, or any other disease of the larynx which would produce aphonia; stricture of the esophagus.

(m) The chest: Malformation of the chest or badly united fracture of the ribs or sternum sufficient to interfere with respiration; caries or necrosis of ribs; deficient expansive mobility; evident predisposition to tuberculosis; chronic pneumonia; emphysema; chronic pleurisy; pleural effusions; chronic bronchitis; previous operation for empyema; asthma; organic diseases of the heart or large arteries; serious protracted functional derangement of the heart; distinct predisposition to disease of heart or lungs.

(n) The abdomen: All chronic inflammations of the gastrointestinal tract, including diarrhea and dysentery; diseases of the liver or spleen, including those caused by malaria poisoning; ascites; obesity; hemorrhoids; prolapsus ani; fistula in ano; marked fissures of the anus; hernia in all situation; tumors.

(o) Genito-urinary organs: Any acute affection of the genital organs, including gonorrhea, syphilis, and venereal sores; loss of penis; phimosis, if complete; stricture of the urethra; atrophy or loss of both testicles; undescended testicle or permanent retraction of one or both testicles; chronic disease of the testicle or epididymitis; hydrocele of the tunic and cord unless the hydrocele of the cord is small and inconsequential; varicocele causing symptoms; malformations of the genitalia (epispadias or hypospadias not preventing the normal passage of urine may not cause rejection) incontinence or retention of urine; urinary fistulae; enlargement of the prostate; calculus; cystitis; all organic diseases of the kidney.

(p) Affections common to both the upper and lower extremities: Chronic rheumatism; chronic diseases of joints or movable cartilage; acquired or congenital deformities such as old or irreducible dislocations or false joints; severe sprains; relaxation of the ligaments or capsules of joints; dislocations; fistulae connected with joints or any parts of bones; effusions into joints; badly united or non-united fractures; defective or excessive curvature of the long bones; rickets; caries; necrosis; exostoses; atrophy or paralysis of a limb; extensive, deep, or adherent cicatrices, especially of burn; contraction or permanent refraction of a limb or portion thereof; loss of a limb or portion thereof.

(q) The upper extremities: Acquired or congenital deformities, such as fracture of the clavicle or fracture of the radius and ulna; webbed fingers; permanent flexion or extension of one or more fingers, as well as irremedial loss of motion of these parts; mutilation or loss of

either thumb or index finger; loss of the second and third phalanges of all fingers of either hand; total loss of any two fingers of the same hand.

(r) The lower extremities: Acquired or congenital deformities, such as, varicose veins, knock-knees, club feet, flat feet (causing symptoms), webbed feet, the affected toes doubled or branching, the great toe crossing the other toes, hammer toe, bunions, large corns; over-riding or superposition of any of the toes to an extreme degree; loss of a great toe; loss of any two toes of the same foot; permanent retraction of the last phalanx of any of the toes or flexion at a right angle of the first phalanx of a toe upon the second, with ankylosis of the articulation; ingrowing of the nail of the great toe; bromidrosis; chronic ulcers.

(s) Hearing. An applicant who cannot hear conversational speech 30 feet and whispered speech 15 feet will be rejected. The applicant will be placed at one end of the room with the ear to be tested toward the other end of the room and will insert his moistened index finger into the other ear. The examining surgeon will approach within a few feet of the applicant and pronounce words or phrases and direct the applicant to repeat what he has heard. The surgeon will then gradually recede from the applicant until he ceases to repeat correctly what is spoken to him and the distance entered on the examination record. The applicant will then face about and the other ear will be similarly tested and recorded. The above technique will be carried out in testing whispered speech, the examiner using residual air in whispering. The applicant's eyes will be covered to prevent lip reading. Any chronic disease of the external, middle, or internal ear will be sufficient cause for rejection.

(t) Teeth. An applicant will not be accepted unless he has a minimum of 20 teeth, 14 of which must be serviceable for masticating and incising food, and so arranged as to have 4 masticating teeth in the upper jaw opposed to 4 masticating teeth in the lower jaw, and 3 incisor teeth in the upper jaw opposed to 3 incisor teeth in the lower jaw. By "serviceable teeth" is meant sound teeth or those which have been restored by fillings or well-fitting crowns, which are not involved with pyorrhea or pus pockets around the roots, and which are not placed so irregularly as to prevent opposed teeth entering into serviceable occlusion. Masticating teeth will be considered as molars (including wisdom teeth) and bicusps. Incisor teeth will include incisor and canine teeth. Bridge teeth or teeth on plates will not be considered as serviceable teeth. Teeth used as abutments for bridges may be considered as serviceable teeth. Artificial teeth used in plates or bridges will not be so considered, but if the prosthetic appliances are well fitting the teeth so supplied may be computed in addition to the 14 necessary serviceable teeth in order to allow the applicant sufficient teeth for entrance. Such bridge or prosthetic appliances, as well as missing or unsound teeth, will be indicated in the record of physical examination.

(u) A careful urinalysis (including microscopical examination) will be made in each case, and a quantitative exami-

nation, when practicable, if albumen or sugar is present.

(v) Blood pressure readings are required on all examinations. In considering the blood pressure, due regard will be given to the age of the applicant and to physiological causes, such as excitement, recent exercises, and digestion. The condition of the arteries, the tenseness of the pulse, and the degree of accentuation of the aortic second sound will be taken into consideration, as will also the relation between the systolic and diastolic pressure. No applicant will be rejected as a result of a single reading. When the blood pressure reading at the first examination is regarded as abnormal, or in case of doubt, the procedure will be repeated twice daily, in the morning and in the afternoon, for a sufficient number of days to enable the examiner to arrive at a definite conclusion. Hypertension evidenced by a persistent systolic blood pressure above 150 or hypotension with less than 110 is a cause for rejection. In a person under 25 years of age a persistent systolic pressure of or above 140 or a persistent diastolic pressure of 95 or over is a cause for rejection.

(w) (1) Attention will be paid to the stature and physical proportions of the candidate, and no one under 5 feet 6 inches nor over 6 feet 4 inches (stripped) will be accepted.

(2) The following tables of physical proportions are for information and guidance. Mere fulfillment of the requirements of the standard tables does not determine eligibility.

Height		Weight	Allowance for underweight or overweight	Chest measurement	
In feet—	In inches—			At expiration	Mobility
59½	63	132	8	32½	2
59½	67	134	8	33	2
59½	68	141	12	33½	2½
59½	69	148	15	33½	2½
59½	70	155	20	34	2½
59½	71	162	20	34½	2½
6	72	169	20	34½	3
6½	73	176	20	35½	3
6½	74	183	20	35½	3½
6½	75	190	20	36½	3½
6½	76	197	20	36½	3½

(3) If an applicant weighs more than the number of pounds stated in the above table, including allowance for overweight, he may be accepted if the overweight is due to muscle and bone, but will be rejected if it is due to fat.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

NOVEMBER 22, 1948.

[F. R. Doc. 48-10374; Filed, Nov. 29, 1948; 8:56 a. m.]

Chapter III—Coast Guard: Inspection and Navigation

TRANSFER OF REGULATIONS

CROSS REFERENCE: For transfer of the regulations in this chapter, see Chapter I of this title, *supra*.

Chapter IV—Coast Guard: Navigational Aids

TRANSFER OF REGULATIONS

CROSS REFERENCE: For transfer of the regulations in this chapter, see Chapter I of this title, *supra*.

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

Subchapter D—Military Reservations and National Cemeteries

PART 555—MOTION PICTURE SERVICE

PATRONAGE ELIGIBILITY

A new paragraph (e) is added to § 555.9, as follows:

§ 555.9 *Patronage eligibility.* * * *

(e) Civilian guests of military personnel may attend Army theaters when in company of military personnel and provided proper written authorization is presented at time of admission. [C4, AR 210—390, Nov. 1, 1948] (R. S. 161, 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-10365; Filed, Nov. 23, 1948; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 927]

[Docket No. AO 71-A-17]

HANDLING OF MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Supps., 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of a hearing to be held at the Commodore Hotel, New York, New York, beginning at 10:00 a. m., e. s. t., December 8, 1948, and at the State Office Building (Hearing Room 1) Albany, New York, beginning at 10:00 a. m., e. s. t., December 9, 1948, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing

area. These proposed amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the establishment of minimum Class I-A prices for a limited period of time beginning January 1, 1949. Evidence will be received on the following proposals:

1. (Proposed by Metropolitan Cooperative Milk Producers Bargaining Agency Inc., Dairymen's League Cooperative Association, Inc., and Eastern Milk Producers Cooperative Association, Inc.) Amend § 927.5 (a) (1) (ii) to read:

(ii) The Class I-A price shall be \$5.68 per hundredweight for each of the months of January, February, and March 1949, and \$5.24 per hundredweight for each of the months of April, May, and June 1949.

2. (Proposed by Milk Dealers' Association of Metropolitan New York, Inc.) Amend § 927.5 (a) (1) (ii) to read:

(ii) The Class I-A price per hundredweight for each of the months of January, February, and March 1949 shall be the 201-210 mile zone price per hundredweight established under Order No. 4 for Class I milk containing 3.7 percent but-

terfat for the Greater Boston Marketing Area, minus 19 cents.

Copies of this notice of hearing, the said order, as amended, now in effect, and the said tentative marketing agreement may be procured from the Market Administrator, 205 East 42d Street, New York, New York, or from the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: November 24, 1948.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-10410; Filed, Nov. 23, 1948; 8:53 a. m.]

[7 CFR, Part 975]

[Docket No. AO-173-A-4]

HANDLING OF MILK IN CLEVELAND, OHIO, MILK MARKETING AREA

HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT, AND ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of prac-

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR, Part 1]

[Docket No. 9126]

COMMERCIAL RADIO OPERATORS

PROPOSED RULE MAKING

In the matter of amendments §§ 13.61 and 13.62 of the Commission's rules governing commercial radio operators, docket No. 9126.

1. Notice is hereby given of proposed rule making on the above-entitled matter.

2. The Commission proposes to amend §§ 13.61 and 13.62 of its rules governing commercial radio operators for three purposes:

(a) To include in the scope of authority of the various classes of commercial radio operator licenses as set forth in Part 13 of the Commission's rules, appropriate provision for stations using pulsed and frequency modulated types of emission.

(b) To define more clearly the basic scope of authority of the various classes of commercial radio operator licenses by reference to types of transmission employed (radiotelephone, radiotelegraph, facsimile, television, etc.) in lieu of the present references to types of emission. This change is made desirable by the fact that provision in Part 13 for stations employing pulsed and frequency modulated techniques would, under the present system of reference to types of emission, lead to the use of approximately 22 different standard symbols in defining the scope of authority of commercial operator licenses. It is believed that such a system is unnecessarily complicated and cumbersome.

(c) To expand the scope of operating authority under the radiotelephone classes of license so as to include therein certain transmissions technically classified as telegraphy but which the holder of a radiotelephone class of license is considered to be qualified to handle. These types of transmission consist generally of telegraphy of any form except by any type of the Morse code; telegraphy transmitted automatically for distress, identification or testing purposes by a station normally using some other type of transmission; telegraphy transmitted automatically by a relay station on frequencies above 30 Mc; and telegraphy transmitted as an incidental part of a program intended to be received by the general public.

APPENDIX

1. Section 13.61 of the rules governing commercial radio operators is amended in the following particulars:

(a) Paragraph (a) is amended to read as follows:

(a) *Radiotelephone second-class operator license.* Any station, except stations transmitting telegraphy by any type of the Morse Code and except standard broadcast stations, international broadcast stations, FM broadcast stations, noncommercial educational FM broadcast stations with transmitter power rating in excess of 1 kw, televi-

sion broadcast stations licensed for commercial operation, or ship stations licensed to use power in excess of 100 watts for communication with coastal telephone stations.

(b) Paragraph (b) is amended to read as follows:

(b) *Radiotelephone first-class operator license.* Any station, except stations transmitting telegraphy by any type of the Morse Code and except ship stations licensed to use power in excess of 100 watts for communication with coastal telephone stations.

(c) Paragraphs (c) and (d) are amended by deleting the words "any station while using type B, A-O, A-1, A-2, A-3 or A-4 emission except—" and substituting the following: "Any station except stations transmitting television and except—"

(d) Paragraph (e) is amended by deleting the words "any station while using type A-O, A-3, or A-4 emission" and substituting the following: "Any station except stations transmitting television or transmitting telegraphy by any type of the Morse Code."

(e) Paragraph (f) is amended by deleting the words "any station while using type B, A-O, A-1, A-2, A-3, or A-4 emission; *Provided*, That, in the case of equipment designed for and using type A-3 or A-4 emission—" and substituting the following: "Any station except stations transmitting television: *Provided*, That, in the case of equipment designed for and using telephone or facsimile transmissions—"

3. The proposed amendments, authority for which is contained in sections 4 (i) and 303 (l) and (r) of the Communications Act of 1934, as amended, are set forth in an appendix attached to this notice.

4. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth in the appendix hereto, may file with the Commission on or before December 31, 1948, a statement or brief setting forth his comments. At the same time, persons favoring the amendments as proposed may file statements in support thereof. The Commission will consider all such comments that are presented before taking action in the matter, and if any comments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: November 22, 1948.

Released: November 23, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10397; Filed, Nov. 29, 1948;
8:59 a. m.]

tice and procedure, as amended (7 CFR, Supps. 900.1 et seq., 11 F. R. 7737, 12 F. R. 1159, 4904), notice is hereby given of a public hearing to be held at the Carter Hotel, Cleveland, Ohio, beginning at 10:00 a. m., e. s. t., December 7, 1948, for the purpose of receiving evidence with respect to a proposed amendment to the tentative marketing agreement as heretofore approved and to the order, as amended, regulating the handling of milk in the Cleveland, Ohio, marketing area (12 F. R. 5840, 13 F. R. 2332, 13 F. R. 5653). The amendment proposed has not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic and emergency conditions which relate to the proposed amendment hereinafter set forth:

The following amendment has been proposed by the Milk Producers Federation of Cleveland:

1. Amend § 975.6 (b) (1) to delete the proviso contained therein and to provide that the price for Class I milk shall not be less than \$5.25 per hundred-weight prior to April 1, 1949.

Copies of this notice of hearing and of the tentative marketing agreement, and the order, as amended, now in effect, may be procured from the market administrator, 2163 East Second Street, Cleveland, Ohio, or from the Hearing Clerk, United States Department of Agriculture, in Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated: November 24, 1948.

[SEAL]

JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 48-10412; Filed, Nov. 29, 1948;
9:00 a. m.]

[7 CFR, Part 989]

[Docket No. AO-198]

HANDLING OF RAISINS PRODUCED FROM
RAISIN VARIETY GRAPES GROWN IN
CALIFORNIA

NOTICE OF HEARING WITH RESPECT TO PRO-
POSED MARKETING AGREEMENT AND ORDER

Correction

In F. R. Doc. 48-10196, appearing at page 6884 of the issue for Tuesday, November 23, 1948, the following changes are made:

1. In § 989.4 (f) the word "delivery" in the first line of subparagraph (3) should read "delivered" and in subparagraph (6) the phrase "or (6)" should be deleted.

2. In the last paragraph before the signature "P. O. Box 775" should read "P. O. Box 773"

3. In Exhibit A, under "Biola District 3" the figure "1319" in the third line should read "13-19"

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-305]

**PROPOSED TRADE PRACTICE RULES FOR THE
CANVAS COVER INDUSTRY****NOTICE OF ADDITIONAL TIME WITHIN WHICH
TO FILE SUGGESTIONS OR AMENDMENTS**

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 26th day of November 1948.

Opportunity is hereby extended by the Federal Trade Commission to all members of the Canvas Cover Industry and all other interested or affected parties to prepare and file in writing with the Commission specific or additional suggestions or amendments to the proposed trade practice rules for this industry which were released for consideration on October 29, 1948, and the hearing on which was held November 22, 1948, in Washington, D. C. For this purpose copies of the proposed rules may be obtained upon request to the Commission.

Such suggestions or amendments may be submitted by letter, memorandum, brief, or other written communication, to be filed with the Commission not later than January 22, 1949. All such matters filed in the proceeding will receive due consideration by the Commission before final action on the proposed rules.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F.R. Doc. 48-10435; Filed, Nov. 23, 1948;
9:03 a. m.]

NOTICES**NATIONAL MILITARY
ESTABLISHMENT****Department of the Army****DESCRIPTION OF CENTRAL AND FIELD
AGENCIES**

The Description of Central and Field Agencies, which formerly appeared in the Code of Federal Regulations as Part 1, Subtitle A, Title 10, is amended as follows:

1. In section 1.13, delete the words "As Senior Army Planner"

2. Sections 1.1 (c) 1.1 (d) (3) 1.6, 1.9, 1.12, 1.14, 1.23 (b) and (c) 1.24 (c) and 1.29 (a) (2) are amended, sections 1.5a, 1.5b, 1.5c, 1.7 (c) and 1.22a are added, and sections 1.15, 1.16, 1.17, 1.23 (a) (2) and 1.24 (a) (8) are revoked, as follows:

Sec. 1.1 General. * * *

(c) This organization provides, under the Chief of Staff, a General and a Special Staff; an Office, Chief, Army Field Forces, under the Chief, Army Field Forces; Administrative Staffs and Services under the Director of Personnel and Administration; Technical Staffs and Services under the Director of Logistics; six army areas; the Military District of Washington; and such oversea commands as the Secretary of the Army may find necessary.

(d) The following principles have been applied in designing the organization of the Department of the Army and described in this part:

(3) The structure of the staff organization supporting the Chief of Staff, Vice Chief of Staff, and Deputy Chiefs of Staff must be as simple as possible with a minimum of individuals habitually reporting direct to the Chief of Staff, Vice Chief of Staff, or the Deputies.

Sec. 1.5a Vice Chief of Staff, United States Army. The Vice Chief of Staff is responsible to, and is the principal adviser and assistant to the Chief of Staff, and acts for him in his absence. The Vice Chief of Staff performs and exercises such of the functions, duties and powers devolved upon the Chief of Staff by law, regulation, or otherwise, as the Chief of Staff may direct. All orders, recommendations, and other official acts

of the Vice Chief of Staff are considered as emanating from the Chief of Staff and shall have full force and effect as such.

Sec. 1.5b Deputy Chief of Staff for Plans and Combat Operations. The Deputy Chief of Staff for Plans and Combat Operations is responsible to the Chief of Staff for the supervision and correlation of:

(a) Planning activities of the Army.
(b) Direction of combat of operations including such as may be charged to the Chief of Staff as the executive agent of the Joint Chiefs of Staff.

(c) Deployment of forces and the allocation of resources assigned to the Department of the Army in peace and war.

(d) Assignment of strategic and tactical missions of commanders operating overseas or in the zone of the interior.

Sec. 1.5c Deputy Chief of Staff for Administration. The Deputy Chief of Staff for Administration is responsible to the Chief of Staff for the supervision and correlation of all administrative and current operational activities of the Army other than those assigned to the Deputy Chief of Staff for Plans and Combat Operations in section 1.5b.

Sec. 1.6 Chief of Information. The Chief of Information advises the Secretary of the Army and the Chief of Staff on matters of policy relating to public understanding and support of the Army, and is responsible to the Chief of Staff for supervision and coordination throughout the Department of the Army in the information and education field, both at home and abroad. He coordinates the public information and legislative (except for appropriations) policies and programs of the Army, and troop information and education policies and programs of the Army and the Air Force by exercising supervision over the following agencies whose heads are responsible to him for the performance of functions assigned to them:

(a) **Public Information Division.** The Chief, Public Information Division, coordinates, processes, and releases all Department of the Army announcements of public interest, including photographs and motion pictures, to news-gathering agencies, radio stations and networks, film producers, and other public and pri-

vate organizations in the field of public information; supervises Department of the Army contacts with these agencies; and assists outside writers by gathering material and arranging interviews with officials within and outside the Department of the Army.

(b) **Legislative and Liaison Division.** The Chief, Legislative and Liaison Division formulates, coordinates, and accomplishes the Department of the Army legislative program, except appropriations bills; participates in official Department of the Army contacts with the Congress and its individual members, except in matters pertaining to appropriations; and coordinates contacts of other Department of the Army agencies with the Congress.

(c) **Army-Air Force Troop Information and Education Division.** The Chief, Army-Air Force Troop Information and Education Division is charged with developing basic plans and policies for information and education activities for military personnel. He supervises the execution of information and education programs, but in so doing does not engage in operations or administrative duties where an agency exists for that purpose.

Sec. 1.7 Army Comptroller. * * *

(c) The Chief of Finance is under the supervision of the Army Comptroller and is responsible through him and the Chief of Staff to the Secretary of the Army.

Sec. 1.9 Director of Personnel and Administration. (a) The Director of Personnel and Administration, General Staff, United States Army, is the military personnel manager of the Department of the Army. He has the primary General Staff interest in manpower. He is the adviser to and assistant to the Chief of Staff for administrative matters and for matters relating to manpower as a whole and to military personnel as individuals throughout the Army. He has over-all Department of the Army responsibility for the procurement, allocation, and reallocation of personnel in bulk in accordance with established requirements and priorities, and for the separation of individuals from the military service. He exercises General Staff supervision and direction of the Army Safety Program.

NOTICES

(b) Under the direction of the Chief of Staff, the Director of Personnel and Administration directs and controls the operations and administrative activities of the heads of Administrative Services. In exercising such direction and control, he receives from the other General Staff Directors and the Army Comptroller the same staff direction previously exercised by them over the heads of Administrative Services and is assisted by the General Staff Directors and the Army Comptroller in the implementation of this additional responsibility.

SEC. 1.12 Director of Logistics. (a) The Director of Logistics, General Staff, United States Army, has General Staff responsibility for logistical planning; service activities; supply control; distribution, storage, and maintenance of supplies; purchasing; production and other industrial matters; disposal of surplus property, initiation, allocation, coordination, and progress of research and development programs; conduct of research and development activities in consonance with user interest; and for the development of Army service, supply, procurement, research and development plans, policies, objectives, and programs in consonance with Army-wide plans, policies, objectives, and programs.

(b) Under the direction of the Chief of Staff, and The Assistant Secretary of the Army on procurement and related industrial matters, the Director of Logistics directs and controls the operations and administrative activities of the heads of Technical Services. In exercising such direction and control, he receives from the other General Staff Directors and the Army Comptroller the same staff direction previously exercised by them over the heads of Technical Services and is assisted by the General Staff Directors and the Army Comptroller in the implementation of this additional responsibility. Civil functions of the Corps of Engineers are specifically exempted from direction and control by the Director of Logistics; in regard to these matters the Secretary of the Army deals directly with the Chief of Engineers.

SEC. 1.14 Special Staff, United States Army. The following agencies, because of their fields of activity, report direct to the Chief of Staff and are designated as the Special Staff:

- (a) National Guard Bureau.
- (b) Office of the Executive for Reserve and ROTC Affairs.
- (c) Office of the Inspector General.
- (d) Historical Division.
- (e) Civil Affairs Division.
- (f) Office of the Judge Advocate General.

SEC. 1.15 [Revoked.]

SEC. 1.16 [Revoked.]

SEC. 1.17 [Revoked.]

SEC. 1.22a Office of the Judge Advocate General. The Office of the Judge Advocate General, Special Staff, United States Army, is charged throughout the Army with supervising the system of military

justice; providing legal advice and services; and with operating the system of appellate review of records of general courts martial provided by the Articles of War. The Judge Advocate General is the chief law officer of the Department of the Army and the chief legal adviser to the Secretary of the Army and the Chief of Staff. He reports direct to the Secretary of the Army with respect to courts martial and certain legal matters.

SEC. 1.23 Administrative Staffs and Services. (a) The Administrative Services are as follows:

(2) [Revoked.]

(b) The heads of the Administrative Services are also Administrative Staff officers of Headquarters, Department of the Army. As such, they function according to the principles referred to in section 1.24 (b). The General and Special Staffs will decentralize appropriate functions to the Administrative Staffs and Services to the maximum extent practicable. Communication between the appropriate staff division and the Administrative Staffs and Services is conducted through the Director of Personnel and Administration except as authorized herein or as may be specifically prescribed by the Director of Personnel and Administration.

(c) The Administrative Staffs and Services are directed and controlled in their operations and administrative activities by the Director of Personnel and Administration in accordance with the provisions of section 1.9 (b).

SEC. 1.24 Technical Staffs and Services. (a) The Technical Services are as follows:

(8) [Revoked.]

(c) The Technical Staffs and Services are directed and controlled in their operations and administrative activities by the Director of Logistics in accordance with the provisions of section 1.12 (b). The General and Special Staffs will decentralize appropriate functions to the Technical Staffs and Services to the maximum extent practicable. Communication between the appropriate staff division and the Technical Staffs and Services is conducted through the Director of Logistics except as authorized herein or as may be specifically prescribed by the Director of Logistics.

(1) through (10) [Revoked.]

SEC. 1.29 Communications—(a) How addressed.

(2) Matters requiring the attention of the Chief of Staff, the Vice Chief of Staff, or a Deputy Chief of Staff, United States Army, or the attention of more than one of the divisions of the General or Special Staffs will be addressed to the Chief of Staff, United States Army, Washington 25, D. C. Correspondence requiring the attention of a single division of the General or Special Staffs may be addressed to the head of the division by title, General or Special Staff

(as the case may be), United States Army, Washington 25, D. C.

[SEAL]

EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-10364; Filed, Nov. 29, 1948;
8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

AMENDMENT TO ORGANIZATION STATEMENT

The statement on organization of the Bureau of Animal Industry, Agricultural Research Administration (formerly Part 2403), is amended by adding the following:

The Agriculture Remount Service administers the Act of April 21, 1948 (Public Law 494, 80th Congress) which transferred to this Department the former Remount Service Quartermaster Corps, Department of the Army, and consists of a program to improve the breeding of light horses in such manner as will best advance the livestock and agricultural interests of the United States.

The work of this Service is carried on directly and in cooperation with public and private organizations and individuals. The horses are available for the use of breeders upon showing of proper qualifications.

The use of breeding stallions is customarily made available through agents under contract with the Bureau. Persons desiring use of the breeding service may apply to the agent in their locality if known, or should communicate with the nearest Agriculture Remount station. A fee of not to exceed \$20.00 may be charged by an agent for breeding a mare. Stations are located at Fort Robinson, Nebraska; Fort Reno, Oklahoma; and Pomona, California.

F. H. SPENCER,
Acting Administrator, Agricultural Research Administration.

[SEAL]

A. J. LOVELAND,
Acting Secretary of Agriculture.

NOVEMBER 23, 1948.

[F. R. Doc. 48-10360; Filed, Nov. 29, 1948;
8:50 a. m.]

Rural Electrification Administration

[Administrative Order 1650]

LOAN ANNOUNCEMENT

NOVEMBER 16, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Tennessee 31F McNairy----- Amount \$480,000

[SEAL]

WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 48-10400; Filed, Nov. 29, 1948;
8:59 a. m.]

[Administrative Order 1651]

LOAN ANNOUNCEMENT

NOVEMBER 17, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
South Carolina 32L Calhoun..... \$167,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 48-10401; Filed, Nov. 29, 1948;
8:59 a. m.]

[Administrative Order 1652]

LOAN ANNOUNCEMENT

NOVEMBER 17, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Iowa 84B Hamilton..... \$5,994,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator

[F. R. Doc. 48-10402; Filed, Nov. 29, 1948;
8:59 a. m.]

[Administrative Order 1653]

LOAN ANNOUNCEMENT

NOVEMBER 17, 1948:

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Georgia 77L Forsyth..... \$150,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 48-10403; Filed, Nov. 29, 1948;
8:59 a. m.]

[Administrative Order 1654]

LOAN ANNOUNCEMENT

NOVEMBER 17, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Pennsylvania 13T Tioga..... \$100,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 48-10404; Filed, Nov. 29, 1948;
8:59 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

VOLUNTARY PLAN UNDER PUBLIC LAW 395,
80TH CONGRESS FOR ALLOCATION OF STEEL
PRODUCTS FOR TANK AND OIL FIELD PRO-
DUCTION EQUIPMENTNOTICE OF PUBLIC HEARING ON PROPOSED
CONTINUATION AND OTHER MATTERS

Notice is hereby given that a public hearing will be held on Wednesday, December 8, 1948, at 10:00 a. m., e. s. t., in the Auditorium on the fifth floor of the National Archives Building, Pennsylvania Avenue between Seventh and Ninth Streets NW., Washington, D. C., for the purpose of affording to industry, labor and the public generally an opportunity to present their views with respect to (1) the proposed continuation beyond February 28, 1949, of the voluntary plan, under Public Law 395, 80th Congress, for the allocation of steel products for tank and oil field production equipment, approved by the Attorney General on August 24, 1948 and by the Secretary of Commerce on August 25, 1948 and subsequently published in the FEDERAL REGISTER (13 F. R. 5666) and (2) several proposed changes in the operational details of the plan.

The proposed continuation involves two procedures. One would remain effective if the present authority contained in Public Law 395 is not extended: The other would become effective if the present authority contained in Public Law 395 is appropriately extended. The two procedures are represented by documents attached hereto as Exhibits A and B. They are in draft form and are subject to revision at or after the public hearing. Under one procedure (Exhibit B) it is proposed that the Secretary of Commerce will make a request, with the approval of the Attorney General, for unilateral action by steel producers in continuing deliveries for the program during the six-month period March 1, 1949 through August 31, 1949, in accordance with section 2 (f) of Public Law 395.

Under the other procedure (Exhibit A) it is proposed to amend the existing plan to provide that, in the event of statutory extension, the plan itself will automatically continue in effect during the seven-month period March 1, 1949 through September 30, 1949, which would round out the full third calendar quarter.

Exhibit A also contains the proposed changes in the operational details of the plan.

The proposed actions have been formulated after consulting with representatives of the steel producing and tank and oil field production equipment industries and with interested government agencies, including the Department of the Interior, the National Military Establishment, and the Department of Justice.

Any person desiring to participate in the public hearing should file a written notice of appearance with the Director of the Office of Industry Cooperation, Room 5847, Department of Commerce Building, Washington 25, D. C., not later than 5 p. m., e. s. t., on Friday, December 3, 1948. Persons desiring to present writ-

ten statements or memoranda should submit them, in triplicate, at the hearing.

JOHN R. ALISON,
Acting Secretary of Commerce.

EXHIBIT A—AMENDMENT

PROPOSED AMENDMENT TO VOLUNTARY PLAN
UNDER PUBLIC LAW 395, 80TH CONGRESS FOR
ALLOCATION OF STEEL PRODUCTS FOR TANK
AND OIL FIELD PRODUCTION EQUIPMENT

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9319, after consultation with representatives of the steel producing industry and manufacturers of tank and oil field production equipment and after expression of the views of industry, labor and the public generally at an open public hearing held on December 8, 1948, has determined that, in order to carry out the program begun under the voluntary plan (13 F. R. 5666) entered into by steel producers to furnish certain steel products to manufacturers of tank and oil field production equipment, it will be necessary, and is practicable and appropriate to the successful carrying out of the policies set forth in the said Public Law 395, that (1) steel producers make further deliveries of steel products to such manufacturers beyond February 28, 1949 and (2) that certain changes be made in the existing plan to cover this and other matters.

Therefore, the abovementioned voluntary plan is amended as follows:

1. By adding the following after the certification at the end of subparagraph 3 (b).

In addition, certifications on orders placed after December 31, 1948 shall carry the following additional sentence:

The undersigned further certifies that the quantities ordered herewith, when added to all other quantities certified by the undersigned under the plan for the same delivery month, do not exceed the undersigned's allocations under the plan for that month.

Purchase orders shall be placed not less than 60 days before the first of the month in which delivery is required.

2. By adding the following as a new subparagraph (c) at the end of paragraph 3:

(c) Participation in the benefits of this plan shall at all times be contingent upon each participating Manufacturer's continued strict compliance with the provisions hereof. In the event of any actual or prospective non-compliance by any participating Manufacturer, the Secretary of Commerce may, after written notice to the participating Manufacturer, take such action as he deems warranted with respect to the Manufacturer's participation in the Plan, including partial or total suspension or termination of participation privileges and notification to the participating steel producers not to make any or certain further shipments under the Plan to such Manufacturer.

3. By adding the following at the end of paragraph 5: "However, if the time limitation of March 1, 1949 now specified in subsection 2 (b) of Public Law 395 is extended or otherwise changed by legislative action in a form which permits the continuation of this plan, the plan shall thereupon automatically continue in effect through September 30, 1949 (or through the date specified in such legislative action if a date earlier than September 30, 1949 is so specified) subject to other applicable provisions in this plan regarding earlier termination by the Secretary of Commerce and withdrawal by any individual participant. During the continuation period, steel products shall be made available at the rate of approximately 16,530 net tons per month, distributed by types as specified in subparagraph 2 (a) of this plan."

4. By inserting the following new paragraph at the end of the plan:

7. Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General), in writing, to clarify the meaning of any terms or provisions in this plan shall be binding upon all participants notified of such interpretation.

After approval of this amendment by the Attorney General and by the Secretary of Commerce, and after any steel producer or any manufacturer of tank and oil field production equipment has made a written acceptance of a request by the Secretary of Commerce for compliance herewith, this amendment shall become effective as to such steel producer or such manufacturer and shall be subject to the terms and conditions set forth in the original voluntary plan.

[To be signed by the Attorney General and the Secretary of Commerce upon approval.]

EXHIBIT B—REQUEST

PROPOSED REQUEST UNDER PUBLIC LAW 395, 80TH CONGRESS, FOR ALLOCATION OF STEEL PRODUCTS FOR TANK AND OIL FIELD PRODUCTION EQUIPMENT

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919, after consultation with representatives of the steel producing industry and manufacturers of tank and oil field production equipment, and after expression of the views of industry, labor and the public generally at an open public hearing held on December 8, 1949, has determined that, in order to carry out the program begun under the voluntary plan (13 F. R. 5666) entered into by steel producers to furnish certain steel products for manufacturers of tank and oil field production equipment it will be necessary, and is practicable and appropriate to the successful carrying out of the policies set forth in said Public Law 395, that steel producers make further deliveries of steel products to such manufacturers after the expiration of the plan on February 28, 1949.

Therefore, the Secretary of Commerce, in accordance with subsections 2 (c) and 2 (f) of Public Law 395, 80th Congress, and with the approval of the Attorney General, hereby requests:

1. That steel producers participating in the above-mentioned voluntary plan continue to make approximately 16,530 net tons of steel products available monthly, during the period March 1, 1949, through August 31, 1949, on certified orders from manufacturers of tank and oil field production equipment; and that such products be made available in accordance with delivery procedures established under the said plan.

2. That manufacturers of tank and oil field production equipment place purchase orders hereunder only for the quantities and types of steel products established for them individually by the Secretary of Commerce; that they put identifying certifications on such purchase orders; and that they use all steel products obtained hereunder solely for the manufacture of tank and oil field production equipment.

In the event that an amendment to the abovementioned voluntary plan extending its effectiveness beyond February 28, 1949 takes effect pursuant to appropriate legislation, this request will be superseded by said extended plan.

[To be signed by the Attorney General and the Secretary of Commerce upon approval.]

[F. R. Doc. 48-10439; Filed, Nov. 29, 1948; 10:32 a. m.]

VOLUNTARY PLAN UNDER PUBLIC LAW 395, 80TH CONGRESS FOR ALLOCATION OF STEEL PRODUCTS FOR CONSTRUCTION, RECONVERSION AND REPAIR OF MERCHANT VESSELS

NOTICE OF PUBLIC HEARING ON PROPOSED INCREASE AND OTHER CHANGES AND ON CONTINUATION

Notice is hereby given that a public hearing will be held on Wednesday, December 8, 1948, at 4:00 p. m., e. s. t., in the Auditorium on the fifth floor of the National Archives Building, Pennsylvania Avenue between Seventh and Ninth Streets NW., Washington, D. C., for the purpose of affording to industry, labor and the public generally an opportunity to present their views with respect to (1) the proposed increase in the quantity of steel products to be made available under the voluntary plan, under Public Law 395, 80th Congress, for the allocation of steel products for the construction, reconversion and repair of merchant vessels, approved by the Attorney General on November 3, 1948 and by the Secretary of Commerce on November 5, 1948, (2) several proposed changes in the operational details of the plan, and (3) proposed completion of the procedures for continuation beyond February 28, 1949.

The increase in the monthly allocation quantity from 10,190 net tons of steel products to 15,415 net tons, beginning with the month of February 1949, and other changes in the operational details are set out in Exhibit A hereto.

Exhibit B hereto is a proposed request, to be made by the Secretary of Commerce, with the approval of the Attorney General, for unilateral action by participants in continuing the program for six months beyond February 28, 1949, in accordance with section 2 (f) of Public Law 395. This would remain effective in the event the authority now contained in the Law is not extended. The plan already provides for automatic continuation in the event of appropriate statutory extension.

Both Exhibits are in draft form and are subject to revision at or after the public hearing.

The proposed actions have been formulated after consulting with representatives of the industries involved and with interested government agencies, including the U. S. Maritime Commission, the National Military Establishment, and the Department of Justice.

Any person desiring to participate in the public hearing should file a written notice of appearance with the Director of the Office of Industry Cooperation, Room 5847, Department of Commerce Building, Washington 25, D. C., not later than 5 p. m., e. s. t., on Friday, December 3, 1948. Persons desiring to present written statements or memoranda should submit them, in triplicate, at the hearing.

JOHN R. ALISON,

Acting Secretary of Commerce.

EXHIBIT A—AMENDMENTS

PROPOSED AMENDMENT TO VOLUNTARY PLAN UNDER PUBLIC LAW 395, 80TH CONGRESS, FOR ALLOCATION OF STEEL PRODUCTS FOR CONSTRUCTION, RECONVERSION AND REPAIR OF MERCHANT VESSELS

The Secretary of Commerce, pursuant to the authority vested in him by Public Law

395, 80th Congress, and Executive Order 9919, after consultation with representatives of the steel producing and shipbuilding industries, and after expression of the views of industry, labor and the public generally at an open public hearing held on December 8, 1948, has determined that, in order to carry out the program begun under the voluntary plan (13 F. R. —) entered into by steel producers to furnish certain steel products for builders, reconverters, and repairers of merchant vessels, it will be necessary, and is practicable and appropriate to the successful carrying out of the policies set forth in the said Public Law 395, that (1) steel producers make larger quantities of steel products available to such builders, reconverters, and repairers and (2) that certain changes be made in the existing plan to cover this and other matters.

Therefore, the abovementioned voluntary plan is amended as follows:

1. Paragraph 2 (*Agreement by Steel Producers*) is amended to read as follows:

2. *Agreement by Steel Producers.* During the period this plan remains in effect, producers will make available, out of their own production or that of their producing subsidiaries or affiliates, to participating builders a total of 10,190 net tons of steel products for the month of January 1949 and a total of 15,415 net tons per month thereafter, distributed by types approximately as follows:

Type	Net tons per month	
	January 1949	After January 1949
Structural shapes.....	930	2,010
Bars.....	165	680
Pipe.....	290	717
Plate—under 3/4".....	3,393	11,210
Plate—3/4" and over.....	2,294	
Sheets—black.....	120	280
Sheets—galvanized.....	260	473
Miscellaneous—for repairs ¹	2,801	(²)
Total net tons per month....	10,190	15,415

¹ Classifications to be determined later.

² Including above.

Producers will, from time to time, however, upon request of the Secretary of Commerce, give consideration to making additional quantities available.

2. By redesignating subparagraph 7 (c) *Other Reports* as 7 (d) and inserting the following as a new subparagraph 7 (c)

(c) *Report on orders placed.* In addition to the other reports provided for in this paragraph, each participating builder will, no later than the first day of each month, submit to the Secretary of Commerce, by letter or telegram, a report on the quantities and kinds of steel products covered by certified orders placed by it under this plan and accepted by participating steel producers for delivery in the second succeeding month.

3. By inserting the following, as an unnumbered subparagraph, at the end of paragraph 8 (*Obligations of participating builders*)

Participation in the benefits of this plan shall at all times be contingent upon each participating builder's continued strict compliance with the provisions hereof. In the event of any actual or prospective non-compliance by any participating builder, the Secretary of Commerce may, after written notice to the participating builder, take such action as he deems warranted with respect to the builder's participation in the plan, including partial or total suspension or termination of participation privileges and notification to the participating steel

producers not to make any or certain further shipments under the plan to such builder.

4. By inserting the following after the certification in paragraph 9 (*Procedure for placing orders*).

In addition, certifications on orders placed after December 31, 1948 shall carry the following additional sentence:

The undersigned further certifies that the quantities ordered herewith, when added to all other quantities certified by the undersigned under the plan for the same delivery month, do not exceed the undersigned's allocations under the plan for that month.

Purchase orders shall be placed not less than 60 days before the first of the month in which delivery is required.

After approval of this amendment by the Attorney General and by the Secretary of Commerce, and after any steel producer or any builder, reconverter, or repairer of merchant vessels has made written acceptance of a request by the Secretary of Commerce for compliance herewith, this amendment shall become effective as to such producer, builder, reconverter, or repairer and shall be subject to the terms and conditions set forth in the original voluntary plan.

[To be signed by the Attorney General and the Secretary of Commerce upon approval.]

EXHIBIT B—REQUEST

PROPOSED REQUEST UNDER PUBLIC LAW 395, 80TH CONGRESS FOR ALLOCATION OF STEEL PRODUCTS FOR CONSTRUCTION, RECONVERSION AND REPAIR OF MERCHANT VESSELS

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919, after consultation with representatives of the steel producing and shipbuilding industries and with the interested government agencies and after expression of the views of industry, labor and the public generally at an open public hearing held on December 8, 1948, has determined that, in order to carry out the program begun under the voluntary plan (13 F. R. —) entered into by steel producers to furnish certain steel products for builders, reconverters and repairers of merchant vessels, it will be necessary, and is practicable and appropriate to the successful carrying out of the policies set forth in said Public Law 395, that steel producers make further deliveries of steel products to such builders, reconverters and repairers after the expiration of the plan (as amended) on February 28, 1949.

Therefore, the Secretary of Commerce, in accordance with subsections 2 (c) and 2 (f) of Public Law 395, 80th Congress, and with the approval of the Attorney General, hereby requests:

1. That steel producers participating in the abovementioned voluntary plan continue to make approximately 15,415 net tons of steel products available monthly, during the period March 1, 1949 through August 31, 1949, on certified orders from builders, reconverters and repairers of merchant vessels; and that such products be made available in accordance with delivery procedures established under the said plan.

2. That builders, reconverters and repairers of merchant vessels place purchase orders hereunder only for the quantities and types of steel products established for them individually by the Secretary of Commerce; that they put identifying certifications on such purchase orders; and that they use all steel products obtained hereunder solely for the construction, reconversion or repair of merchant vessels (as defined in the abovementioned voluntary plan).

In the event that an extension of the effectiveness of the above-mentioned voluntary plan beyond February 28, 1949 takes effect pursuant to appropriate legislation, this request will be superseded by said extended plan.

[To be signed by the Attorney General and the Secretary of Commerce upon approval.]

[F. R. Doc. 48-10440; Filed, Nov. 23, 1948; 10:32 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3277]

PAN AMERICAN AIRWAYS, INC., GUATEMALA CITY-LOS ANGELES/SAN FRANCISCO OPERATION

NOTICE OF HEARING

In the matter of the application of Pan American Airways, Inc., for amendment of its certificate of public convenience and necessity authorizing air transportation between the United States and various points in Latin America so as to authorize direct service carrying persons, property and mail beyond the intermediate point Guatemala City, Guatemala, to the coterminal points Los Angeles, Calif., and San Francisco, Calif., in both directions.

For further details of the operations proposed and the route modification requested, the parties are referred to the application, the Examiner's prehearing conference report, and the correspondence with respect thereto which are on file with the Civil Aeronautics Board.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that the above application is assigned for hearing on December 13, 1948, at 10:00 a. m. (P. s. t.) in Room 535, U. S. Post Office and Court House Building, 312 Spring Street, Los Angeles, Calif., before Examiner Ralph L. Wiser.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

(1) Whether the proposed certificate amendment is required, in whole or in part, by the public convenience and necessity.

(2) Whether the applicant is fit, willing, and able to perform the proposed new transportation properly and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

Notice is further given that any person other than the parties of record desiring to be heard in this proceeding shall file with the Board on or before December 6, 1948, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert.

Dated at Washington, D. C., November 26, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-10414; Filed, Nov. 20, 1948; 9:00 a. m.]

[Docket No. 3307]

NORTHWEST AIRLINES, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Northwest Airlines, Inc., for amendment of its certificate of public convenience and necessity for route No. 3 so as to remove restrictions preventing services to (a) Great Falls on flights serving Butte, Billings, Bozeman, or Helena, Montana, and (b) Kallispell on flights serving Bozeman, Butte, Helena, or Missoula.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the above-entitled proceeding, assigned for hearing on November 30, 1948, is hereby postponed to December 8, 1948, at 10:00 a. m. (e. s. t.) in Room 2065, Temporary Building No. 4, 17th Street and Constitution Avenue NW., Washington, D. C., before Examiner James S. Keith.

Dated at Washington, D. C., November 24, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-10413; Filed, Nov. 23, 1948; 9:00 a. m.]

[Dockets Nos. 3415, 3416]

MT. MCKINLEY AIRWAYS, INC., AND
GOLDEN NORTH AIRWAYS, INC.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the non-certificated operations of Mt. McKinley Airways, Inc., Docket No. 3415, and Golden North Airways, Inc., Docket No. 3416.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceedings originally assigned to be held on November 29 is postponed to December 10, 1948, at 10:00 a. m. (e. s. t.) in Room 5042, Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before the Board.

Dated at Washington, D. C., November 24, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-10415; Filed, Nov. 23, 1948; 9:00 a. m.]

[Docket No. SR-1-176]

STANLEY F. WOODWARD

NOTICE OF ORAL ARGUMENT

In the matter of D. W. Rentzel, Administrator of Civil Aeronautics, Complainant, vs. Stanley F. Woodward, Respondent:

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1004 (a) of said act, that oral argument in this case

NOTICES

is assigned to be heard December 13, 1948, at 10:00 a. m. in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C. before the Board.

Dated at Washington, D. C., November 24, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-10416; Filed, Nov. 29, 1948;
9:01 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9072]

OLNEY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of Robert E. Thompson and Sidney R. Sanders, d/b as Olney Broadcasting Company, Olney, Texas, Docket No. 9072, File No. BP-6767; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of November 1948;

The Commission having under consideration the above-entitled application requesting a permit to construct a new standard broadcast station to operate on the frequency 1410 kilocycles, with 250 watts power, daytime only, at Olney, Texas, and also having under consideration petitions filed by Stephens County Broadcasting Company, licensee of Station KSTB and David W. Ratliff, licensee of Station KDWT, that the above-entitled application be designated for hearing and that petitioners be made parties thereto;

It is ordered, That the said petitions of Stephens County Broadcasting Company and of David W. Ratliff be, and they are hereby, granted; and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Olney Broadcasting Company be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station KSTB, Breckenridge, Texas or with Station KDWT, Stamford, Texas, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas

and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the assignment of a Class IV station to a regional channel.

It is further ordered, That Stephens County Broadcasting Company, licensee of Station KSTB, and David W. Ratliff, licensee of Station KDWT, be, and they are hereby, made parties to this proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10379; Filed, Nov. 29, 1948;
8:56 a. m.]

[Docket No. 8961]

JOHN A. BOHN

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of John A. Bohn, Martinez, California, Docket No. 8961, File No. BP-6696; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of November 1948;

The Commission having under consideration the above-entitled application of John A. Bohn for a construction permit for a new standard broadcast station to operate on the frequency 1330 kc, 500 w power, daytime only, at Martinez, California;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station KWBR, Oakland, California, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the

Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That E. N. and S. W. Warner, d/b as Warner Brothers, licensee of Station KWBR, Oakland, California, be, and they are hereby, made a party to this proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10380; Filed, Nov. 29, 1948;
8:57 a. m.]

[Docket Nos. 8178, 9190]

STEEL CITY BROADCASTING CO. AND RADIO
STATION WGES

ORDER DESIGNATING APPLICATION FOR
CONSOLIDATED HEARING ON STATED ISSUES

In re applications of George M. Whitney, Caroline L. Whitney and Fredrik K. Feyling, d/b as Steel City Broadcasting Company, Gary, Indiana, Docket No. 8178, File No. BP-5681, John A. Dyer, V. I. Christoph, E. M. Hinzman, F. A. Ringold and W. F. Moss, d/b as Radio Station WGES (WGES), Chicago, Illinois, Docket No. 9190, File No. BP-6700; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of November 1948;

The Commission having under consideration a petition, filed January 16, 1948, for reconsideration and grant without a hearing on the above-entitled amended application of George M. Whitney, Caroline L. Whitney and Fredrik K. Feyling, d/b as Steel City Broadcasting Company, requesting authorization to construct a new standard broadcast station at Gary, Indiana, to operate on 1370 kc, with 500 w power, daytime only; opposition to the petition filed January 29, 1948, by the licensee of Station WGES, Chicago, Illinois; and the above-entitled application of J. A. Dyer, V. I. Christoph, E. M. Hinzman, F. A. Ringold and W. F. Moss, d/b as Radio Station WGES, requesting authorization to change the daytime directional pattern of Station WGES, operating on 1390 kc, with 5 kw power, DA, U, filed April 9, 1948;

It appearing, that the aforesaid application of Steel City Broadcasting Company was, on October 16, 1947, designated for hearing and that the hearing is currently scheduled to commence on March 17, 1949, in Washington, D. C., and

It further appearing, that the Radio Station WGES and Steel City Broadcasting Company applications as amended would involve an overlap of their respective 2 mv/m and 25 mv/m contours;

It is ordered, That the said petition of Steel City Broadcasting Company be, and it is hereby, denied, and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of J. A. Dyer, V. I. Christoph, E. M. Hinzman, F. A. Ringold and W. F. Moss, d/b as Radio Station WGES be, and it is hereby, designated for hearing in a consolidated proceeding with the ap-

plication of George M. Whitney, Caroline L. Whitney and Fredrik K. Feyling, d/b as Steel City Broadcasting Company, at the time and place aforesaid, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate station WGES as proposed.
2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of station WGES as proposed and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of station WGES as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of station WGES as proposed would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of station WGES as proposed would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to those provisions of the Standards concerning the licensing of stations with less than 30 kc frequency separation.
7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's October 16, 1947 order designating the aforesaid Steel City Broadcasting Company application for hearing be, and it is hereby, amended to include the above-entitled application of Radio Station WGES, to include among the issues for hearing, Issue No. 7, set forth above, and to change Issue No. 6 thereof to read as Issue No. 6 above.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10381; Filed, Nov. 29, 1948;
8:57 a. m.]

KWKW

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on November 8, 1948 there was filed

¹Section 1.321, Part 1, Rules of Practice and Procedure.

with it an application (BAL-797) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of station KWKW Pasadena, California from Marshall S. Neal, Paul Buhlig, E. T. Foley and Edwin Earl, d/b as Southern California Broadcasting Company to Southern California Trade Unions Broadcasting Association. Under the terms of an agreement dated August 13, 1948, Marshall S. Neal, Paul Buhlig, E. T. Foley and Edwin Earl have agreed to sell and assign their interest in the said partnership of Southern California Broadcasting Company to the Southern California Trade Unions Broadcasting Association for a sum of not less than \$392,500 nor more than \$420,000, payable as follows: \$25,000 in cash upon consummation of the assignment within thirty days following approval thereof by the Federal Communications Commission; \$35,000 annually on the first and second anniversary of the assignment, plus two-thirds of the net profits of the station for each of said years (said additional amount not to exceed \$27,500 for either or both of said years) and the remaining unpaid portion (\$297,500) in five equal annual installments with interest at 2½% per annum on the unpaid balance. Full information concerning the transaction may be obtained from the application which is on file at the Federal Communications Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on November 8, 1948 that starting on November 12, 1948 notice of the filing of the application would be inserted in a newspaper of general circulation at Pasadena, California in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from November 12, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract. (Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. A. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10382; Filed, Nov. 29, 1948;
8:57 a. m.]

ELECTRONIC ENTERPRISES, INC. (WITA)

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL¹

The Commission hereby gives notice that on November 17, 1948 there was filed with it an application (BTC-699) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Electronic Enterprises, Inc., licensee of station WITA, San Juan, Puerto Rico to Antonio Ayuso Valdivieso. The proposal to transfer

control arises out of a contract of October 26, 1948 pursuant to which Bernard and Elizabeth Rubell propose to sell 125 shares (50%) of the licensee's capital to Antonio Ayuso Valdivieso for a cash consideration of \$25,000. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on November 17, 1948 that starting on November 16, 1948 notice of the filing of the application would be inserted in El Imparcial a newspaper of general circulation at San Juan, Puerto Rico, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from November 16, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract. (Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. A. 310 (b))

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10383; Filed, Nov. 29, 1948;
8:57 a. m.]

ALMA BROADCASTING Co., Inc. (WFYC)

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL¹

The Commission hereby gives notice that on November 16, 1948 there was filed with it an application (BTC-704) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Alma Broadcasting Co., Inc., permittee of station WFYC, Alma, Michigan from Cleon Van Ripper and Merle E. Rhoads to Merle E. Rhoads. The proposal to transfer control arises out of a contract of October 29, 1948 providing that transferee shall receive from Alma Broadcasting Company, Inc. forty-five shares of its common stock in repayment of a loan of \$4,500 to said corporation previously made by said transferee. The agreement further provides that the said transferee shall purchase from the said transferor thirty shares of stock now owned by said transferor and that in consideration therefor, said transferee has loaned the said transferor three thousand dollars (\$3,000) for which a promissory note bearing interest at 5% per annum, payable on demand of said transferee, has been executed by said transferor. The said thirty shares of stock have been endorsed in blank by said transferor and have been deposited with said transferee as collateral for the said note. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

NOTICES

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on November 16, 1948 that starting on November 22, 1948, notice of the filing of the application would be inserted in The Central Michigan Tribune of Mt. Pleasant, Michigan, a newspaper of general circulation at Alma, Michigan in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from November 22, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract. (Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. A. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10385; Filed, Nov. 29, 1948;
8:57 a. m.]

WBTH

PUBLIC NOTICE CONCERNING PROPOSED
ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on November 15, 1948 there was filed with it an application (BAL-800) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of station WBTH, Williamson, West Virginia, from Williamson Broadcasting Corporation to Mingo Broadcasting Corporation. The proposal to assign the license arises out of a contract of October 26, 1948 pursuant to which Williamson Broadcasting Corporation will assign its lease improvements, transmitting plant and radiating system, studio and office equipment, an automobile, technical supplies, unearned deposits and insurance premiums, leases, and goodwill for a cash consideration of \$70,000 plus an amount equal to the face value of accounts receivable as of the date of Commission consent to the assignment. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases, including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on November 15, 1948 that starting on November 19, 1948 notice of the filing of the application would be inserted in the Williamson Daily News, a newspaper of general circulation at Williamson, West Virginia, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60

days from November 19, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract. (Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. A. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10384; Filed, Nov. 29, 1948;
8:57 a. m.]

WRIB

PUBLIC NOTICE CONCERNING PROPOSED AS-
SIGNMENT OF CONSTRUCTION PERMIT¹

The Commission hereby gives notice that on November 10, 1948, there was filed with it an application (BAPCT-8) for its consent under section 310 (b) of the Communications Act to the proposed assignment of construction permit for television station WRIB, Waltham, Massachusetts, from Raytheon Manufacturing Company to Columbia Broadcasting System, Inc. The proposal to assign arises out of a contract of October 16, 1948, pursuant to which Raytheon Manufacturing Company will assign to Columbia Broadcasting System certain properties and equipment for station WRIB for the sum of \$242,122, subject to adjustments as provided in the agreement between the parties. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on November 10, 1948, that starting on November 12, 1948, notice of the filing of the application would be inserted in the Waltham News-Tribune, a newspaper of general circulation at Waltham, Massachusetts, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from November 12, 1948, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract. (Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. A. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10386; Filed, Nov. 29, 1948;
8:57 a. m.]

[Docket No. 8248]

AGNES JANE REEVES GREER
ORDER REOPENING HEARING

In re application of Agnes Jane Reeves Greer, Dover, Ohio, Docket No. 8248, File No. BP-5319; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of November, 1948;

The Commission having under consideration the record in the above-entitled proceeding; and

It appearing, that the record contains conflicting and insufficient evidence with respect to the proposed service area of the above-named applicant and the interference problems involved; that a decision cannot be reached in this proceeding until proper and complete evidence is taken with respect to these matters; that in order properly to resolve the discrepancies in the evidence with respect to interference, groundwave field intensity measurements should be taken in the manner prescribed in the Commission's Standards of Good Engineering Practice to determine the nature and extent of the interference problems which would result from the operation proposed; and that the parties hereto should be required to take such measurements to determine the foregoing matters;

It is ordered, That the record in the above-entitled proceeding be, and it is hereby, reopened for further hearing at Washington, D. C., on a date to be specified by subsequent order, to determine the foregoing matters; and

It is further ordered, That the parties to this proceeding be, and they are hereby, directed to submit, at the further hearing, groundwave field intensity measurements taken in the manner prescribed in the Commission's Standards of Good Engineering Practice from which a determination can be made of the interference areas and populations which would result from the operation of the station proposed; and

It is further ordered, That the Hearing Examiner heretofore designated in this proceeding be, and she is hereby, directed to hold the further hearing herein ordered and submit a Recommended Decision based on the record heretofore compiled and the record made in the further hearing in this proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10387; Filed, Nov. 29, 1948;
8:58 a. m.]

[Docket Nos. 8731, 8732, 8733, 8841]

BEACON BROADCASTING CO., INC., ET AL.

ORDER CONTINUING HEARING

In re applications of Beacon Broadcasting Company, Inc., Boston, Massachusetts, Docket No. 8731, File No. BPH-1320; Boston Radio Company, Inc., Boston, Massachusetts, Docket No. 8733, File No. BPH-1385; The Northern Corporation, Boston, Massachusetts, Docket No. 8732, File No. BPH-1372; Bunker Hill Broadcasting Company, Boston, Massachusetts, Docket No. 8841, File No. BPH-1420; for FM construction permits.

Whereas, the above-entitled applications are presently scheduled to be heard

¹ Section 1.321, Part 1, Rules of Practice and Procedure.

on November 29, 1948, at Boston, Massachusetts; and

It appearing, that a petition requesting waiver of hearing in the above-entitled proceeding has been filed; and that no action has as yet been taken on the said petition;

It is ordered, This 19th day of November, 1948, that the hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Monday, March 3, 1949, at Boston, Massachusetts.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10388; Filed, Nov. 29, 1948;
8:58 a. m.]

[Docket No. 8395]

TWIN CITIES BROADCASTING CORP.
(WDGY)

ORDER CONTINUING HEARING

In re order to show cause directed to Twin Cities Broadcasting Corporation (WDGY) Minneapolis, Minnesota, Docket No. 8395, File No. BS-669.

The Commission having under consideration a petition filed November 5, 1948, by Twin Cities Broadcasting Corporation (WDGY) Minneapolis, Minnesota, requesting a continuance in the hearing presently scheduled for December 6, 1948, at Washington, D. C., in the proceeding upon the above-entitled matter;

It is ordered, This 19th day of November, 1948, that the petition be, and it is hereby, granted; and that the hearing in the proceeding upon the above-entitled matter be, and it is hereby, continued to 10:00 a. m., Tuesday, February 8, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10389; Filed, Nov. 29, 1948;
8:58 a. m.]

[Docket Nos. 8011, 8012, 8162, 8338, 8672]

AMERICAN BROADCASTING CO. INC. (KGO)
ET AL.

ORDER CONTINUING HEARING

In re applications of American Broadcasting Company, Inc. (KGO) San Francisco, California, Docket No. 8011, File No. BMP-2157; for modification of construction permit. Denver Broadcasting Company, Denver, Colorado, Docket No. 8012, File No. BP-5141, for construction permit. KCMO Broadcasting Company (KCMO) Kansas City, Missouri, Docket No. 8338, File No. BMP-2556; for modification of construction permit. Tampa Times Company (WDAE) Tampa, Florida, Docket No. 8672, File No. BP-6266; for construction permit and modification of license of General Electric Company (WGY) Schenectady, New York, Docket No. 8162, File No. BS-264.

The Commission having under consideration a petition filed November 10,

1948, by General Electric Company (WGY) Schenectady, New York, requesting a continuance in the hearing presently scheduled for December 13, 1948, upon the above-entitled applications;

It is ordered, This 19th day of November, 1948, that the petition be, and it is hereby, granted; and that the hearing upon the above-entitled applications be, and it is hereby, continued indefinitely.

Exception noted by counsel for WDAE.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10390; Filed, Nov. 29, 1948;
8:53 a. m.]

[Docket No. 8116]

BALBOA RADIO CORP. (KLIK)

ORDER CONTINUING HEARING

In re application of Balboa Radio Corporation (KLIK) San Diego, California, Docket No. 8116, File No. BP-5622; for construction permit.

The Commission having under consideration a letter filed November 17, 1948, by Balboa Radio Corporation, San Diego, California, requesting a continuance in the hearing presently scheduled for December 2, 1948, at San Diego, California, upon its above-entitled application for construction permit;

It is ordered, This 19th day of November, 1948, that the request be, and it is hereby, granted; and that the hearing upon the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, January 31, 1949, at San Diego, California.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10391; Filed, Nov. 23, 1948;
8:58 a. m.]

[Docket Nos. 8409, 8032]

PARISH BROADCASTING CO. AND RUSTON
BROADCASTING CO. (KRUS)

ORDER CONTINUING HEARING

In re applications of Parish Broadcasting Company, Minden, Louisiana, Docket No. 8409, File No. BP-5749; Clarence E. Faulk, Jr., tr/as Ruston Broadcasting Company (KRUS) Ruston, Louisiana, Docket No. 8092; File No. BP-6730; for construction permits.

The Commission having under consideration a petition filed November 9, 1948, by Ruston Broadcasting Company (KRUS), Ruston, Louisiana, requesting a continuance in the hearing presently scheduled for December 16, 1948, at Ruston, Louisiana, upon its above-entitled applications for construction permits;

It is ordered, This 19th day of November, 1948, that the petition be, and it is hereby, granted; and that the hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Thursday, February 10, 1949, at

Minden, Louisiana, and Friday, February 11, 1949, at Ruston, Louisiana.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10392; Filed, Nov. 23, 1948;
8:53 a. m.]

[Docket No. 8376]

PERRY-ALLEN BROADCASTING CO. (WFMZ)

ORDER CONTINUING HEARING

In re application of Penn-Allen Broadcasting Company (WFMZ) Allentown, Pennsylvania, Docket No. 8376, File No. BMPH-1100; for modification of construction permit.

The Commission having under consideration a petition filed November 17, 1948, by Penn-Allen Broadcasting Company (WFMZ), Allentown, Pennsylvania, requesting leave to amend its above-entitled application for FM construction permit so as to show revised information on regarding the corporation's Articles of Incorporation, capital stock, stockholders, finances, program plans; and to show a new transmitter site and revised engineering information incidental thereto; as more particularly appears from the amendment filed simultaneously with the petition;

It is ordered, This 19th day of November, 1948, that the petition be, and it is hereby, granted; and that the amendment filed simultaneously with the petition be, and it is hereby, accepted; and

It is further ordered, That, on the Commission's own motion, the hearing upon the above-entitled application be, and it is hereby, continued to 10:00 a. m., Wednesday, December 23, 1948, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10393; Filed, Nov. 23, 1948;
8:53 a. m.]

[Docket No. 9157]

FORT INDUSTRY CO. (WSPD) AND NORTHEASTERN INDIANA BROADCASTING CO. INC. (WKJG)

ORDER CONTINUING HEARING

In the matter of the petition of the Fort Industry Co. (WSPD) for designation for hearing of Northeastern Indiana Broadcasting Company, Inc. (WKJG) Docket No. 9157, File No. BMP-3332; for modification of construction permit.

The Commission having under consideration a joint petition filed November 17, 1948 by Fort Industry Company and Northeastern Indiana Broadcasting Company, Inc., requesting a continuance in the hearing presently scheduled for December 2, 1948, at Washington, D. C. in the above-entitled proceedings;

It is ordered, This 19th day of November, 1948, that the petition be, and it is hereby, granted; and that the hearing in the proceeding upon the above-entitled

matter be, and it is hereby, continued to 10:00 a. m., Monday, January 31, 1949, at Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10394; Filed, Nov. 29, 1948;
8:58 a. m.]

[Docket Nos. 9066, 9067]

KENYON BROWN AND GEORGE E.
CAMERON, JR.

ORDER CONTINUING HEARING

In re applications of Kenyon Brown, Tulsa, Oklahoma, Docket No. 9066, File No. BP-6693; George E. Cameron, Jr., Tulsa, Oklahoma, Docket No. 9067, File No. BP-6752; for construction permit.

The Commission having under consideration a petition filed November 10, 1948, by Kenyon Brown, Tulsa Oklahoma, requesting a continuance in the hearing presently scheduled for November 22, 1948, at Tulsa, Oklahoma, upon the above-entitled applications for construction permits;

It is ordered, This 12th day of November, 1948, that the petition be, and it is hereby, granted; and that the hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Monday, December 6, 1948, at Tulsa, Oklahoma.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10395; Filed, Nov. 29, 1948;
8:58 a. m.]

[Docket Nos. 8998, 8999]

FAULKNER COUNTY BROADCASTING CO. AND
CONWAY BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Leonard Murel Rose, Elmer Lawrence Donze and Norbert Bernard Donze, d/b as Faulkner County Broadcasting Company, Conway, Arkansas, Docket No. 8998, File No. BP-6660; Conway Broadcasting Company, Conway, Arkansas, Docket No. 8999, File No. BP-6706; for construction permits.

Whereas, The above-entitled applications are presently scheduled to be heard on November 15, 1948, at Conway, Arkansas; and

Whereas, The public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 12th day of November, 1948, that the hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Wednesday, December 1, 1948, at Conway, Arkansas.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10396; Filed, Nov. 29, 1948;
8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1096]

TEXAS EASTERN TRANSMISSION CORP.

ORDER FURTHER POSTPONING HEARING

NOVEMBER 23, 1948.

Upon consideration of the motion filed November 18, 1948, by Texas Eastern Transmission Corporation for a further postponement of the hearing herein now set to commence on December 13, 1948;

It appearing to the Commission that:

(1) Texas Eastern has agreed that if such postponement is granted, and, by reason of its being so granted, the Commission is unable to make a determination of the issues involved in this proceeding within the period of suspension heretofore ordered, Texas Eastern will not move to put the proposed supplemental rate schedules into effect pursuant to section 4 (e) of the Natural Gas Act prior to a final determination by the Commission herein.

(2) Good cause exists for further postponing the date of hearing as hereinafter provided.

The Commission orders that:

The public hearing herein now set to commence on December 13, 1948, be and the same hereby is postponed to March 14, 1949, commencing at 10:00 a. m. (est) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: November 24, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10362; Filed, Nov. 29, 1948;
8:50 a. m.]

[Docket No. G-1151]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

NOVEMBER 22, 1948.

Notice is hereby given that on November 12, 1948, an application was filed with the Federal Power Commission by Southern Natural Gas Company (Applicant) a Delaware corporation with its principal place of business at Birmingham, Alabama, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural gas facilities:

(a) A tap and gate valve on Applicant's 12 inch pipe line located at or near the intersection between this line and the 10 inch pipe line of United Gas Pipe Line Company (United) in the Southwest Quarter of Section 18, Township 9 North, Range 18 West, Jefferson Davis County, Mississippi.

(b) A tap and gate valve on Applicant's 6 inch line together with a measuring station and appurtenant equipment located at or near the intersection between said line and United's 6 inch line in Panola County, Texas and facilities to connect said measuring station

with the lines of the Applicant and United.

Applicant states that the facilities above described will be used by it to deliver gas to United in quantities not to exceed 50,000 Mcf per day from those described in (a) and not to exceed 25,000 Mcf per day from those described in (b), that its estimated reserves in the Gwinville field of Jefferson Davis County, Mississippi and Logansport field in Texas are sufficient for the service proposed; and estimate the capital cost of the proposed facilities at \$20,750, which will be financed from current funds.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Southern Natural Gas Company, is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of § 1.8 or § 1.10, whichever is applicable, of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10)

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10351; Filed, Nov. 29, 1948;
8:46 a. m.]

[Docket Nos. G-1041, 1046, 1049, 1050, 1101,
1107, 1108]

COUNCIL BLUFFS GAS CO. ET AL.

NOTICE OF OPINION

NOVEMBER 24, 1948.

Council Bluffs Gas Company, Docket No. G-1107, Central Electric and Gas Company, Docket No. G-1041, Minnesota Valley Natural Gas Company, Docket No. G-1046; Minneapolis Gas Light Company, Docket No. G-1049; Hastings Gas Company, Docket No. G-1050; and Iowa-Illinois Gas and Electric Company, Docket No. G-1101, v. Northern Natural Gas Company. In the matter of Northern Natural Gas Company, Docket No. G-1108.

Notice is hereby given that, on November 23, 1948, the Federal Power Commission issued its Opinion No. 169 entered November 23, 1948, revising rate schedule and establishing regulations for the apportionment of increases in contract demand in the above-designated matters.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10361; Filed, Nov. 29, 1948;
8:50 a. m.]

[Docket No. G-1132]

ARKANSAS LOUISIANA GAS CO.

ORDER FIXING DATE OF HEARING

NOVEMBER 22, 1948.

Upon consideration of the application filed October 4, 1948, by Arkansas Louisiana Gas Company (Applicant) a Delaware corporation having its principal office at Shreveport, Louisiana, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities subject to the jurisdiction of the Commission, as more fully described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the *FEDERAL REGISTER* on October 22, 1948 (13 F. R. 6223)

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on December 9, 1948, at 9:30 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: November 23, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10363; Filed, Nov. 29, 1948;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 30035]

KANSAS INTRASTATE RATES

NOTICE OF PETITION

In the matter of petition of respondent rail carriers for leave to amend petition dated July 13, 1948, and for modification of the order of August 6, 1948, instituting the above-entitled proceeding.

It appearing, that upon petition dated July 13, 1948, filed by common carriers by railroad operating to, from and between points in the State of Kansas, averring that the Corporation Commission of the State of Kansas has refused to authorize or permit said petitioners to apply to the transportation of certain commodities and traffic moving intrastate by railroad in Kansas, increases in freight rates and charges corresponding to those approved for interstate application in Ex Parte No. 162, Increased Railway Rates, Fares, and Charges, 1946, and Ex Parte No. 148, Increased Railway Rates, Fares, and Charges, 1942, 266 I. C. C. 537, and Ex Parte No. 166, Increased Freight Rates, 1947, 269 I. C. C. 33, 270 I. C. C. 81, and 270 I. C. C. 93, the Commission, by Division 1, entered an order on August 6, 1948, instituting an investigation thereon under section 13 (4) of the Interstate Commerce Act, as amended:

It further appearing, that said petitioners have filed a petition dated November 13, 1948, for leave to amend said petition dated July 13, 1948, and for corresponding modification of the Commission's order of August 6, 1948, to supplement and clarify the issues in the light of the report of the Commission on further consideration, decided July 27, 1948, in Ex Parte No. 166, Increased Freight Rates, 1947, 270 I. C. C. 403, and the Sixth Supplemental Order, dated October 27, 1948, of the State Corporation Commission of the State of Kansas, in its Docket 33880-R, granting petitioners, with certain exceptions, increases in Kansas intrastate freight rates and charges corresponding to those approved for interstate application in said report of the Commission on further consideration, and for good cause appearing:

It is ordered, That said petition dated July 13, 1948, be, and it is hereby, amended in accordance with respondents' petition dated November 13, 1948.

It is further ordered, That the first paragraph of said order of August 6, 1948, instituting this investigation, be, and it is hereby, amended to read as follows:

"It appearing, that a petition, as amended, has been filed on behalf of the Atchison, Topeka and Santa Fe Railway Company and other common carriers by railroad operating to, from, and between points in the State of Kansas, averring (1) that in Ex Parte No. 162, Increased Railway Rates, Fares, and Charges, 1946, and Ex Parte No. 148, Increased Railway Rates, Fares, and Charges, 1942, 266 I. C. C. 537, this Commission authorized certain increases in interstate rates and charges throughout the United States, which were established January 1, 1947, and that the Corporation Commission of the State of Kansas, by order dated February 5, 1947, in its dockets Nos. 23850-R and 30400-R, has refused to authorize or permit said petitioners to apply to the transportation of agricultural limestone; brick and articles taking brick rates; sand; gravel; chatt; fluxing stone; stone, broken, ground or crushed; road building aggregates; sugar beets; furnace slag; and cinders, moving intrastate by railroad in Kansas,

increases in freight rates and charges corresponding to those approved for interstate application in the proceedings above cited, or to apply an increased minimum charge per shipment, in less than carloads, or in any quantity, or to apply an increased minimum rate for pick-up and/or delivery services in connection with less-than-carload or any-quantity shipments, moving intrastate by railroad in Kansas, corresponding to those approved for interstate application in said proceedings; and (2) that in Ex Parte No. 166, Increased Freight Rates, 1947, 269 I. C. C. 33, 270 I. C. C. 81, 270 I. C. C. 93, and 270 I. C. C. 403, this Commission authorized certain increases in interstate rates and charges throughout the United States, which were established October 13, 1947, January 5 and 13, 1948, May 6, 1948, and August 21, 1948, and that the Corporation Commission of the State of Kansas; by orders dated March 31, 1948, June 16, 1948, and October 27, 1948, in its docket No. 33880-R, has refused to authorize or permit said petitioners to apply to the transportation of hay and related articles; agricultural limestone; brick and articles taking brick rates; livestock; sand, gravel, chatt; fluxing stone; stone, broken, ground or crushed; road building aggregates; sugar beets; and cement, increases in rates and charges corresponding to those approved for interstate application in the proceeding last hereinabove cited;"

It is further ordered, That the State of Kansas be notified of this amendment of the order by sending copies of this order and of said petition dated November 13, 1948, by registered mail to the Governor of the said State and to the Corporation Commission of the State of Kansas, at Topeka, Kans.

And it is further ordered, That notice of this amendment of the order be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.

Dated at Washington, D. C., this 19th day of November A. D. 1948.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-10356; Filed, Nov. 23, 1948;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 59-11, 59-17, 54-25]

UNITED LIGHT & RAILWAYS CO. ET AL.

NOTICE OF FILING WITH RESPECT TO A
PROPOSED ACCOUNTING REORGANIZATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 22d day of November A. D. 1948.

In the matter of the United Light and Railways Company, American Light & Traction Company, et al. File Nos. 59-11, 59-17, 54-25.

NOTICES

Notice is hereby given that American Light & Traction Company ("American Light") a registered holding company, has filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") an application-declaration, designated Application No. 5 in response to Commission's order of December 30, 1947, with respect to a proposed accounting reorganization. The application-declaration designates sections 11 (e) and 6 (a) (2) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 6, 1948, at 5:30 p. m., e. s. t., request in writing that a hearing be held with respect to said application-declaration stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said application-declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

At any time after December 6, 1948 said application-declaration may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

By Order dated December 30, 1947, the Commission approved a plan filed by American Light and its parent, the United Light and Railways Company, pursuant to section 11 (e) of the act, which plan, among other things, provided for American Light's disposition during the year 1948, by sales or through dividend distributions, of all of its holdings of common stock of Detroit Edison, the offer by American Light to purchase at \$33 per share plus accrued dividends its outstanding preferred stock, and the distribution in kind by American Light among its stockholders of the common stock of Madison Gas and Electric Company and the Commission in the order of December 30, 1947, reserved jurisdiction, among other things, with respect to accounting entries in connection with the plan.

American Light proposes to establish reserves, as of January 2, 1948, adequate in amount to cover all charges to earned surplus required to be made in connection with the dividend payments, distributions, sales, and other transactions contemplated by the plan, together with a provision for contingencies arising in connection with the plan. These charges will result in an earned surplus deficit and it is proposed to eliminate such deficit by a charge to paid-in surplus.

It is stated that the proposed reserves will aggregate \$35,053,940 and will be for

the following purposes and in the following amounts:

Dividends declared on common stock during 1948.....	\$3,862,664
Dividends declared on preferred stock during 1948.....	603,865
Losses on sales of the common stock of The Detroit Edison Co.	22,824,572
Excess of purchase price of preferred stock to be retired over par value thereof plus accrued dividends	4,368,806
Distribution of the common stock of Madison Gas and Electric Co.	3,144,533
Contingencies, including fees and expenses in connection with the consummation of the plan.....	750,000
	<u>35,053,940</u>

The establishment of such reserves will exhaust the entire earned surplus existing as at December 31, 1947, in the amount of \$21,630,812 and will result in an earned surplus deficit of \$13,423,128, which deficit will be eliminated by transfer to the paid-in surplus account. Paid-in surplus in the amount of \$18,621,001 as at December 31, 1947, will be reduced to \$5,197,873 as at January 2, 1948. Upon completion of all transactions contemplated by the plan any balance in such reserves will be transferred to the paid-in surplus account. It is also proposed that the earned surplus of the subsidiaries of American Light at January 2, 1948 be transferred to the paid-in surplus account in consolidated statements.

The application-declaration requests the Commission to enter an order authorizing American Light to record on its books the accounting entries proposed or releasing jurisdiction heretofore reserved over accounting entries to be made by American Light in connection with the plan with the understanding that the accounting entries proposed will be recorded on the books of the company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10354; Filed, Nov. 29, 1948;
8:47 a. m.]

[File No. 70-2000]

MILWAUKEE GAS LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of November A. D. 1948.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") by Milwaukee Gas Light Company ("Milwaukee") a public utility subsidiary of American Light & Traction Company ("American Light") a registered holding company. Applicant designates section 6 (b) of the act and Rule U-50 (a) (2) promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Milwaukee proposes to enter into a credit agreement which will expire July 1, 1949, with certain banks hereinafter named which will commit such banks to advance to Milwaukee on or before July 1, 1949, a maximum of \$4,500,000 as follows:

The National City Bank of New York.....	\$1,100,000
Central Hanover Bank & Trust Co. of New York.....	1,100,000
Mellon National Bank & Trust Co. of Pittsburgh, Pa.....	1,100,000
First Wisconsin National Bank of Milwaukee.....	1,200,000

An aggregate of \$2,500,000 is to be advanced on or before December 31, 1948. The remaining \$2,000,000 will be advanced from time to time upon request of the company prior to July 1, 1949 in amounts of not less than \$1,000,000 each. The respective amounts, dates of maturity and interest rates of the notes to be issued evidencing the \$4,500,000 of advances are to be as follows:

Amount due	Date due	Annual rate of interest (percent)
\$450,000	May 31, 1950	2 3/4
450,000	Nov. 30, 1950	2 3/4
450,000	May 31, 1951	2 3/4
450,000	Nov. 30, 1951	2 3/4
450,000	May 31, 1952	2 3/4
2,250,000	Nov. 30, 1952	3

A commitment fee will be paid computed at the rate of 1 percent per annum on the average daily unused balance of the commitment from date of the first advance until July 1, 1949 or until the entire \$4,500,000 shall have been taken down, whichever shall occur first.

The application states that of the proceeds \$1,400,000 will be used to retire outstanding 2 3/4 % short term bank loans maturing January 3, 1949 and the remainder will be used to finance the company's construction program through the year 1949.

It is stated that the Public Service Commission of Wisconsin has jurisdiction over the proposed transactions, that an appropriate application will be made to and the requisite authority obtained from that Commission with respect to the proposed transaction.

Milwaukee requests that the Commission enter an order on or before November 30, 1948, or as soon as possible thereafter approving the proposed transactions and that such order become effective upon its entry.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that the same shall not be granted except pursuant to further order of the Commission:

It is ordered, Pursuant to the applicable sections of the act, that a hearing on said application be held on December 2, 1948, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing will be held.

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 833, Pub. Laws 322, 671, 79th Cong., 60 Stat. 59, 925; 50 U. S. C. and Supp. App. 1, 916, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11931.

[Vesting Order 122603]

ERNST SCHLUND ET AL.

In re: Debts owing to Ernst Schlund, Meta Schlund and Arcadius Volss, and securities owned by the personal representatives, heirs, next of kin, legatees and distributees of Fred Tollner, deceased. F-28-26306-D-1, F-28-4279-D-3, F-28-25639-D-1.

Under the authority of the Trading With the Enemy Act; as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law after investigation, it is hereby found:

1. That Ernst Schlund and Meta Schlund, whose last known address is Huptmarkt, 21 Zwickau Sachsen, Germany, and Arcadius Volss, whose last known address is Immelmann Str. 21, Gad-Godesberg, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees of Fred Tollner, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

3. That the property described as follows: That certain debt or other obligation of the American National Bank and Trust Company of Chicago, 33 North La Salle Street, Chicago, Illinois, in the amount of \$464.50, representing the proceeds of sale and final distribution, allocable to 10 beneficial interest shares of the Yates Apartments, Chicago, Illinois, evidenced by a certificate bearing the number 112, registered in the names of Ernst Schlund and Meta Schlund, JTLY, together with any and all accruals there-to, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by Ernst Schlund and Meta Schlund, the aforesaid nationals of a designated enemy country (Germany)

4. That the property described as follows: a. All rights and interests in, to and under a participating certificate evidencing an interest in a voting trust for capital stock of Windermere Hotel Company, c/o Securities Service Corporation, 105 So. La Salle Street, Chicago, Illinois, said certificate numbered 1347 and registered in the name of Fred Tollner, and

b. That certain debt or other obligation matured or unmatured, evidenced by one (1) Windermere Hotel Company Bond, of \$1,000 face value, bearing the number 6789, registered in the name of Fred Tollner, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together

with any and all rights in, to and under the aforesaid bond,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Fred Tollner, deceased, the aforesaid nationals of a designated enemy country (Germany)

5. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) Certificate of Interest for ten (10) units of the Chatelaine Tower Building, of \$100 par value each, said certificate bearing the number 474, registered in the name of Arcadius Volss, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid certificate,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Arcadius Volss, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees of Fred Tollner, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 27, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-10375; Filed, Nov. 23, 1948; 8:53 a. m.]

[Vesting Order 12303]

ELIZABETH ALGAYER ET AL.

In re: Bank accounts and participation certificates owned by Elizabeth Algayer and others. F-28-9113-A-1/E-1, F-28-9114-A-1/E-1, F-28-9115-A-

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the application and that, on the basis thereof, without prejudice to the presentation of additional matters and questions upon further examination, the following matters and questions are presented for consideration:

(1) Whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with applicable requirements of the act and of the rules and regulations promulgated thereunder, or, if not, whether any terms and conditions should be required or imposed in the public interest or for the protection of investors and consumers and if so the nature of such terms and conditions;

(2) Whether the securities to be issued are reasonably adapted to the security structure and earnings of the applicant and of the holding company system of which it is a part, and if not what terms and conditions should be imposed in the public interest or in the interest of investors and consumers;

(3) Whether the consideration to be received for the proposed notes is fair and reasonable; and

(4) Whether the fees, commission, or other remuneration to be paid in connection with the issue and sale of said notes are reasonable.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission on or before November 30, 1948, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Milwaukee Gas Light Company, the Mayor of the City of Milwaukee, and the Public Service Commission of Wisconsin; that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this notice and order be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10355; Filed, Nov. 29, 1948; 8:47 a. m.]

1/E-1, F-28-9116-A-1/E-1, F-28-9117-A-1/E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth Algayer, Johannes Algayer, Johann Georg Algayer, Eva Hiller and Katharine Hiller, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: a. That certain debt or other obligation owing to Elizabeth Algayer, by The Pennsylvania Company for Banking and Trusts, 15th and Chestnut Streets, Philadelphia, Pennsylvania, arising out of a Savings Fund Account, account number M-46729, entitled Elizabeth Algayer, maintained at the Germantown Branch of the aforesaid bank, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, and any and all rights to demand, enforce and collect the same, and

b. One (1) Depositors Participation Certificate of the Kensington Security Bank and Trust Company, Philadelphia, Pennsylvania, said Depositors Participation Certificate numbered 9867, registered in the name of the Germantown Trust Company for the blocked account of Elizabeth Algayer National of Germany, and presently in the custody of The Pennsylvania Company for Banking and Trusts, Germantown Branch, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Elizabeth Algayer, the aforesaid national of a designated enemy country (Germany)

3. That the property described as follows: a. That certain debt or other obligation owing to Johannes Algayer, by The Pennsylvania Company for Banking and Trusts, 15th and Chestnut Streets, Philadelphia, Pennsylvania, arising out of a Savings Fund Account, account number M-46731, entitled Johannes Algayer, maintained at the Germantown Branch of the aforesaid bank, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, and any and all rights to demand, enforce and collect the same, and

b. One (1) Depositors Participation Certificate of the Kensington Security Bank and Trust Company, Philadelphia, Pennsylvania, said Depositors Participation Certificate numbered 9863, registered in the name of the Germantown Trust Company for the blocked account of Johannes Algayer National of Germany, and presently in the custody of The Pennsylvania Company for Banking and Trusts, Germantown Branch, Cheltenham and Germantown Avenues, Philadelphia,

Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Johannes Algayer, the aforesaid national of a designated enemy country (Germany)

4. That the property described as follows: a. That certain debt or other obligation owing to Johann Georg Algayer, by The Pennsylvania Company for Banking and Trusts, 15th and Chestnut Streets, Philadelphia, Pennsylvania, arising out of a Savings Fund Account, account number M-46727, entitled Johann Georg Algayer, maintained at the Germantown Branch of the aforesaid bank, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, and any and all rights to demand, enforce and collect the same, and

b. One (1) Depositors Participation Certificate of the Kensington Security Bank and Trust Company, Philadelphia, Pennsylvania, said Depositors Participation Certificate numbered 9865, registered in the name of the Germantown Trust Company for the blocked account of Johann Georg Algayer, National of Germany, and presently in the custody of The Pennsylvania Company for Banking and Trusts, Germantown Branch, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Johann Georg Algayer, the aforesaid national of a designated enemy country (Germany),

5. That the property described as follows: a. That certain debt or other obligation owing to Eva Hiller, by The Pennsylvania Company for Banking and Trusts, 15th and Chestnut Streets, Philadelphia, Pennsylvania, arising out of a Savings Fund Account, account number M-46730, entitled Eva Hiller, maintained at the Germantown Branch of the aforesaid bank, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, and any and all rights to demand, enforce and collect the same, and

b. One (1) Depositors Participation Certificate of the Kensington Security Bank and Trust Company, Philadelphia, Pennsylvania, said Depositors Participation Certificate numbered 9864, registered in the name of the Germantown Trust Company for the blocked account of Eva Hiller, national of Germany, and presently in the custody of The Pennsylvania Company for Banking and Trusts, Germantown Branch, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or de-

liverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Eva Hiller, the aforesaid national of a designated enemy country (Germany),

6. That the property described as follows: a. That certain debt or other obligation owing to Katherine Hiller, by The Pennsylvania Company for Banking and Trusts, 15th and Chestnut Streets, Philadelphia, Pennsylvania, arising out of a Savings Fund Account, account number M-46728, entitled Katherine Hiller, maintained at the Germantown Branch of the aforesaid bank, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, and any and all rights to demand, enforce and collect the same, and

b. One (1) Depositors Participation Certificate of the Kensington Security Bank and Trust Company, Philadelphia, Pennsylvania, said Depositors Participation Certificate numbered 9866, registered in the name of the Germantown Trust Company for the blocked account of Katherine Hiller, national of Germany, and presently in the custody of The Pennsylvania Company for Banking and Trusts, Germantown Branch, Cheltenham and Germantown Avenues, Philadelphia, Pennsylvania, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Katherine Hiller, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

7. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 48-10376; Filed, Nov. 29, 1948;
8:56 a. m.]